

# FEDERAL REGISTER

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## TITLE 6—AGRICULTURAL CREDIT

### Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

#### PART 664—TOBACCO

##### SUBPART—1950 TOBACCO LOAN PROGRAM

Set forth below are schedules of advance rates, by grades, for the 1950 crop of types 32 and 32b, Maryland tobacco in loose leaf form, under the tobacco loan program formulated by Commodity Credit Corporation and Production and Marketing Administration, published July 8, 1950 (15 F. R. 4333).

Sec.	
664.235	1950 crop; Maryland tobacco, type 32, in loose leaf form; advance schedule.
664.236	1950 crop; Maryland tobacco, Type 32b, in loose leaf form; advance schedule.

**AUTHORITY:** §§ 664.235 and 664.236 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interprets or applies sec. 101, 63 Stat. 1051; 7 U. S. C. Sup., 1441.

§ 664.235 1950 crop; Maryland tobacco, Type 32, in loose leaf form, advance schedule.<sup>1</sup>

[Dollars per 100 pounds, farm sales weight]

Grade	Advance rate	Grade	Advance rate
B1F	70.12	B4G	16.12
B2F	68.12	B5G	15.12
B3F	65.12	T3F	56.12
B4F	58.12	T4F	45.12
B5F	45.12	T5F	27.12
B1R	60.12	T3R	38.12
B2R	56.12	T4R	24.12
B3R	46.12	T5R	16.12
B4R	32.12	T4V	23.12
B5R	22.12	T5V	15.12
B3V	46.12	T4D	15.12
B4V	37.12	T5D	14.12
B5V	23.12	T4G	15.12
B3D	28.12	T5G	14.12
B4D	18.12	C1L	73.12
B5D	15.12	C2L	72.12
B3G	24.12	C3L	68.12

<sup>1</sup>The Cooperative Association through which the loans are made is authorized to deduct from the amount paid to growers 12 cents per hundred pounds to apply against receiving and overhead costs to the Association of the loan operation. Tobacco can be placed under loan only by the original producer. No advance is authorized for tobacco graded W (unsafe keeping order), U (unsound), DAM (damaged), N2L, N2D, N2G, or N-K.

[Dollars per 100 pounds, farm sales weight]

Grade	Advance rate	Grade	Advance rate
C4L	65.12	X4F	56.12
C5L	58.12	X5F	43.12
C1F	74.12	X1R	65.12
C2F	73.12	X2R	63.12
C3F	71.12	X3R	57.12
C4F	68.12	X4R	42.12
C5F	61.12	X5R	26.12
C1R	70.12	X3V	46.12
C2R	68.12	X4V	36.12
C3R	66.12	X5V	25.12
C4R	60.12	X3D	36.12
C5R	48.12	X4D	24.12
C3V	60.12	X5D	15.12
C4V	55.12	X3G	28.12
C5V	40.12	X4G	20.12
C3D	48.12	X5G	14.12
C4D	39.12	P3L	52.12
C5D	23.12	P4L	38.12
C3G	38.12	P5L	22.12
C4G	28.12	P3F	50.12
C5G	16.12	P4F	36.12
X1L	70.12	P5F	20.12
X2L	68.12	P3R	34.12
X3L	65.12	P4R	22.12
X4L	58.12	P5R	16.12
X5L	46.12	N1L	15.12
X1F	70.12	N1D	14.12
X2F	68.12	N1G	14.12
X3F	64.12		

§ 664.236 1950 crop; Maryland tobacco, Type 32b, in loose leaf form, advance schedule.<sup>1</sup>

[Dollars per 100 pounds, farm sales weight]

Grade	Advance rate	Grade	Advance rate
B1F	49.12	T4D	10.12
B2F	48.12	T5D	10.12
B3F	45.12	T4G	10.12
B4F	41.12	T5G	10.12
B5F	31.12	C1L	51.12
B1R	42.12	C2L	50.12
B2R	39.12	C3L	48.12
B3R	32.12	C4L	45.12
B4R	22.12	C5L	41.12
B5R	15.12	C1F	52.12
B3V	32.12	C2F	51.12
B4V	26.12	C3F	50.12
B5V	16.12	C4F	48.12
B3D	20.12	C5F	43.12
B4D	13.12	C1R	49.12
B5D	10.12	C2R	48.12
B3G	17.12	C3R	46.12
B4G	11.12	C4R	42.12
B5G	10.12	C5R	34.12
T3F	39.12	C3V	42.12
T4F	31.12	C4V	38.12
T5F	19.12	C5V	28.12
T3R	27.12	C3D	34.12
T4R	17.12	C4D	27.12
T5R	11.12	C5D	16.12
T4V	16.12	C3G	27.12
T5V	10.12	C4G	20.12

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[Dollars per 100 pounds, farm sales weight]

Grade	Advance rate	Grade	Advance rate
C5G-----	11.12	X2R-----	44.12
X1L-----	49.12	X3R-----	40.12
X2L-----	48.12	X4R-----	29.12
X3L-----	45.12	X5R-----	18.12
X4L-----	41.12	X3V-----	32.12
X5L-----	32.12	X4V-----	25.12
X1F-----	49.12	X5V-----	17.12
X2F-----	48.12	X3D-----	25.12
X3F-----	45.12	X4D-----	17.12
X4F-----	39.12	X5D-----	10.12
X5F-----	30.12	X3G-----	20.12
X1R-----	45.12	X4G-----	14.12

[Dollars per 100 pounds, farm sales weight]

Grade	Advance rate	Grade	Advance rate
X5G-----	10.12	P3R-----	24.12
P8L-----	36.12	P4R-----	15.12
P4L-----	27.12	P5R-----	11.12
P5L-----	15.12	N1L-----	10.12
P3F-----	35.12	N1D-----	10.12
P4F-----	25.12	N1G-----	10.12
P5F-----	14.12		

Issued this 12th day of April 1951.

[SEAL] ELMER F. KRUSE,  
Vice President,  
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,  
Acting President,  
Commodity Credit Corporation.

[F. R. Doc. 51-4501; Filed, Apr. 16, 1951;  
8:52 a. m.]

## TITLE 7—AGRICULTURE

## Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 959—IRISH POTATOES GROWN IN THE COUNTIES OF CROOK, DESCHUTES, JEFFERSON, KLAMATH, AND LAKE IN OREGON, AND MODOC AND SISKIYOU IN CALIFORNIA

## EXEMPTION CERTIFICATES AND SAFEGUARDS

A notice of proposed rule making regarding rules and regulations for the issuance of exemption certificates and the establishment of safeguards, to be made effective under Marketing Agreement No. 114 and Order No. 59, as amended (7 CFR Part 959) regulating the handling of Irish potatoes grown in the counties of Crook, Deschutes, Jefferson, Klamath, and Lake in the State of Oregon, and Modoc and Siskiyou in the State of California, was published in the FEDERAL REGISTER (16 F. R. 1680). This regulatory program is effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.). After consideration of all relevant matters presented, including the rules and regulations set forth in the aforesaid notice, which rules and regulations were adopted and submitted for approval by the Oregon-California Potato Committee, established pursuant to said marketing agreement and order, the following rules and regulations are hereby approved, and such rules and regulations supersede the exemption rules and regulations heretofore issued under Order No. 59 and currently in effect, and such prior rules and regulations are hereby terminated and revoked as of the effective date of the rules and regulations hereinafter set forth.

Sec.

959.100	General.
959.101	Definitions.
959.102	Area determinations.
959.103	Exemption certificates.
959.104	Safeguards for special purpose shipments.

AUTHORITY: §§ 959.100 to 959.104 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c.

§ 959.100 General. Unless otherwise provided in the marketing agreement and order, or by specific direction of the committee, all reports, applications, submittals, requests, and communications in connection with the marketing agreement and order shall be addressed to the committee at its principal office.

§ 959.101 Definitions. For the purpose of §§ 959.100 to 959.104, "agreement" means Marketing Agreement No. 114 and "order" means Order No. 59, as amended (7 CFR Part 959), regulating the handling of Irish potatoes grown in the counties of Crook, Deschutes, Jefferson, Klamath, and Lake in Oregon, and Modoc and Siskiyou in California, and the terms used in such sections shall have the meanings set forth in said agreement and order.

§ 959.102 Area determinations. "Immediate production area" and "immediate shipping area", respectively, are synonymous with "district."

§ 959.103 Exemption certificates—  
(a) Application. Any producer or handler applying for exemption from regulations issued pursuant to § 959.4 shall file such application with the committee, or its duly designated agent for such purpose, on forms to be furnished by the committee. Each application shall state (1) the name and address of the applicant, (2) the grade, size, and quality regulations from which exemption is requested, and (3) facts demonstrating that the potatoes, for which exemption is requested, were adversely affected by acts beyond the applicant's reasonable expectation and control. In addition, producer applications shall set forth the information required by subparagraphs (1), (2), (3) and (4) of this paragraph; and handler applications by subparagraphs (5), (6), (7) and (8) of this paragraph; and all applications shall set forth such additional information as the committee may find necessary in making determinations with respect to such applications.

(1) The location of the applicant's farm or ranch, and the field or storage facility where the applicant's potato crop may be inspected;

(2) The applicant's acreage and production of potatoes for the current season, varieties produced, and the quantity of each variety stated in terms of hundredweights, grades, and sizes;

(3) An estimate of the percentage of such applicant's potato crop which cannot be shipped because of regulations issued and in effect pursuant to § 959.4, stated in terms of varieties, grades, and sizes;

(4) A statement of the amount of the applicant's potato crop (i) which has been sold during the current marketing season, and (ii) remaining to be sold, each stated in terms of varieties, hundredweights, grades, and sizes;

(5) The quantity of potatoes acquired by the applicant during and immediately following the digging season and stored, stated in terms of varieties, hundredweights, grades, and sizes;

(6) The location of the cellar, warehouse, or other storage facility where such potatoes are stored;



(7) An estimate of the percentage of the applicant's holdings of ungraded potatoes which cannot be shipped because of a regulation issued and in effect pursuant to § 959.4, stated in terms of varieties, grades, and sizes; and

(8) A statement of the total amount of potatoes referred to in subparagraph (5) of this paragraph which have been sold by the applicant during the current marketing season and the total amount of such potatoes remaining to be sold, each in terms of varieties, hundred-weights, grades, and sizes.

(b) *Investigation of applications.* (1) Each exemption application filed with the committee shall be accompanied by the applicant's certified statement setting forth the total quantity of such applicant's potatoes which have been graded; the quantity of such potatoes which are culls; the quantity of such potatoes which meet regulatory requirements in effect on the date of the application; and the quantity of such potatoes (exclusive of culls) which fail to meet such requirements on such date. Such certified statement shall be based upon the actual packout or grading of such potatoes. The committee, or any specifically authorized representative thereof, including a Federal-State inspector, may make such further investigations deemed necessary by the committee to verify the foregoing statements, and the cost of any such Federal-State inspection shall be borne by the applicant for exemption. If more than one exemption certificate is issued to an applicant during a marketing season, the total quantity of potatoes authorized to be shipped by such certificates shall not exceed the proportion specified in paragraph (c) of this section.

(2) The committee shall keep account of the exemptions issued to applicants in those cases where the exemption certificate covers only a portion of the applicant's production or storage holdings. The quantity of potatoes exempted, if computed on a part of an applicant's production or storage holdings, shall be taken into consideration prior to issuing any future exemptions on the remainder of such applicant's production or storage holdings and shall be computed as part of the exemptions granted to such applicant during the then current season.

(3) In any case where the committee feels that the total quantity of graded potatoes referred to in subparagraph (1) of this paragraph is not representative of the applicant's entire production or ungraded storage holdings, the committee may require the exemption application to be accompanied by a report of a Federal-State inspector, which report shall contain the following:

(i) A statement by the inspector that he personally visited the farm, ranch, cellar, warehouse, or storage facility described in the application, and that a representative sample of the potatoes remaining therein or contained thereon was taken by him;

(ii) A statement of the percentage of the potatoes sampled by him which meet the grade, size, and quality requirements of regulation then in effect;

(iii) A statement of the defects or damage causing such potatoes to fail to

meet such grade, size, and quality requirements. In the event that different regulations are in effect for different varieties of potatoes, the inspector's report shall show such percentages for each variety separately. The cost of the above inspection shall be borne by the applicant for exemption. The committee, or any specifically authorized representative thereof, may make such investigations as is deemed necessary to determine whether the exemption requested should be granted.

(c) *Issuance of certificate.* (1) Whenever the committee finds and determines, from proof satisfactory to the committee, that the applicant is entitled to an exemption certificate, the committee shall issue or authorize the issuance of an exemption certificate, which shall authorize the applicant to ship, or cause to be shipped, such quantity of potatoes which fail to meet the minimum grade, size, and quality requirements in effect at the time thereof as is authorized by § 959.4 (g).

(2) The manager of the committee, or any employee authorized by him may issue exemption certificates for and on behalf of the committee: *Provided*, That the committee shall have first determined the "average proportions" or percentages referred to in § 959.4 (g).

(3) If it is determined that an applicant is not entitled to an exemption certificate, the applicant shall be so advised in writing and given the reasons therefor.

(4) Each certificate of exemption issued as provided in this section shall contain the producer's or handler's name and address; the location of his farm or ranch, or, in the case of a handler, the location of his cellar, warehouse or storage facility with respect to which the exemption is granted; the particular grade, size, and quality regulations from which exemption is granted; the amount of potatoes which may be shipped by virtue of such exemption; and such other information as may be necessary to evidence the rights of the producer or handler to ship potatoes which do not meet the requirements of particular grade, size, and quality regulations. Each certificate of exemption shall be transferable, in whole or in part, with the potatoes in accordance with the amount of potatoes transferred.

(d) *Reports and records.* For the purpose of enabling the committee to perform its functions, pursuant to the provisions of this part, each handler shall report shipments under exemption certificates to the committee in such form and at such times and substantiated in such manner as shall be prescribed by the committee. All forms, reports, correspondence and documents used, pursuant to this subpart, shall be kept on file by the committee and records thereof shall be maintained by the manager of the committee. A record of all exemption certificates issued (if any) shall be furnished weekly by the manager to the Secretary of Agriculture.

§ 959.104 *Safeguards for special purpose shipments—(a) Application for Certificates of Privilege.* (1) All handlers desiring to make shipments of po-

tatoes for the following purposes shall, when such shipments are regulated pursuant to § 959.5, obtain from the committee prior to initiating such shipments, a Certificate or Certificates of Privilege permitting such shipments:

(i) Grading or storing in the production area;

(ii) Export;

(iii) Distribution by relief agencies or consumption by charitable institutions;

(iv) Manufacture or conversion into specified products or by-products;

(v) Livestock feed.

(2) Handlers desiring to make shipments of seed potatoes may be required to first apply to the committee for and obtain a Certificate or Certificates of Privilege permitting such shipments.

(3) Applications for Certificates of Privilege shall be made on forms furnished by the committee. Each application shall contain the name and address of the handler, the quantity of potatoes to be shipped, name of the consignee, destination, certification as to correctness of statements made, a statement that the applicant will comply with disposition stated therein, and such other information or documents as the committee may require in safeguarding against the entry of such potatoes into trade channels other than those for which the Certificate or Certificates of Privilege were granted.

(b) *Reports.* Each handler shipping potatoes for any purpose set forth in paragraph (a) of this section shall supply the committee with a report thereon showing the name and address of the shipper, car or truck number, Federal-State Inspection Certificate number (if such inspection is required by regulation at time of such shipment), loading point, destination, and consignee.

(c) *Denial and appeals.* The committee may rescind a Certificate, or Certificates of Privilege, issued to a handler pursuant to this section, or deny Certificates of Privilege to a handler, upon proof satisfactory to the committee that such handler has shipped potatoes contrary to the provisions of this section. Such committee action denying a Certificate or Certificates of Privilege shall apply to and not exceed a reasonable period of time as determined by the committee. Any handler who has been denied a Certificate of Privilege, or who has had a Certificate of Privilege rescinded, may appeal to the committee for reconsideration. Such appeal shall be in writing.

It is hereby found that it is impracticable and contrary to the public interest to give 30-day notice of the effective date of this subpart in that (a) shipments of potatoes from the production area are now being made and have been taking place since the beginning of harvest for the 1950 crop year; (b) more orderly marketing in the public interest than would otherwise prevail will be promoted by effectuating the rules and regulations hereinafter set forth on and after the effective date of this subpart; (c) compliance with the rules and regulations will require no preparation on the part of producers and handlers which cannot be completed by the effective date of this subpart; (d)



notice has been given of the proposed rules and regulations by publication thereof as required by law (16 F. R. 1680); and (e) the rules and regulations should be approved upon publication, of this subpart in order to effectuate the declared policy of the act.

Done at Washington, D. C., this 12th day of April 1951, to be effective upon the publication hereof in the FEDERAL REGISTER.

[SEAL]

CHARLES F. BRANNAN,  
Secretary of Agriculture.

[F. R. Doc. 51-4507; Filed, Apr. 16, 1951;  
8:52 a. m.]

[Orange Reg. 367]

# PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

## LIMITATION OF SHIPMENTS

§ 966.513 *Orange Regulation 367—*  
(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on April 12, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information con-

cerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning 12:01 a. m., P. s. t., April 15, 1951, and ending at 12:01 a. m., P. s. t., April 22, 1951, is hereby fixed as follows:

(i) *Valencia oranges.* (a) Prorate District No. 1: 3 carloads;

(b) Prorate District No. 2: No movement;

(c) Prorate District No. 3: 80 carloads;

(d) Prorate District No. 4: No movement.

(ii) *Oranges other than Valencia oranges.* (a) Prorate District No. 1: Unlimited movement;

(b) Prorate District No. 2: 1,200 carloads;

(c) Prorate District No. 3: Unlimited movement;

(d) Prorate District No. 4: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handler," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," "Prorate District No. 3," and "Prorate District No. 4" shall each have the same meaning as given to the respective terms in § 966.107, as amended (15 F. R. 8712), of the current rules and regulations (7 CFR 966.103 et seq.), as amended (15 F. R. 8712).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 13th day of April 1951.

[SEAL]

S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.

## PRORATE BASE SCHEDULE

[12:01 a. m., P. s. t., Apr. 15, 1951, to 12:01 a. m., P. s. t., Apr. 22, 1951]

### VALENCIA ORANGES

#### Prorate District No. 1

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Lindsay	2.2564
A. F. G. Porterville	1.7771
Ivanhoe Cooperative Association	.5290
Sandilands Fruit Co.	.6797
Doffmeyer & Son, W. Todd	.4230
Earliest Orange Association	1.5825
Elderwood Citrus Association	.9132

## PRORATE BASE SCHEDULE—Continued

### VALENCIA ORANGES—continued

#### Prorate District No. 1—Continued

Handler	Prorate base (percent)
Exeter Citrus Association	2.2656
Exeter Orange Growers Association	.6356
Hillside Packing Association	2.4302
Ivanhoe Mutual Orange Association	1.0054
Klink Citrus Association	4.4255
Lemon Cove Association	1.5333
Lindsay Citrus Growers Association	3.2556
Lindsay Cooperative Citrus Association	1.9670
Lindsay Fruit Association	2.4114
Lindsay Orange Growers Association	1.0618
Orange Cove Citrus Association	3.0416
Orange Packing Co.	.8546
Orosi Foothill Citrus Association	1.4614
Paloma Citrus Fruit Association	.5642
Rocky Hill Citrus Association	2.7677
Sanger Citrus Association	2.0804
Sequoia Citrus Association	.8761
Stark Packing Corp.	4.5772
Visalia Citrus Association	2.8426
Waddell & Son	2.4072
Baird-Neece Corp.	2.0472
Beattie Association, D. A.	.2276
Grand View Heights Citrus Association	4.6162
Magnolia Citrus Association	2.8697
Porterville Citrus Association, The	.9062
Richgrove-Jasmine Citrus Association	1.5468
Strathmore Cooperative Association	3.1593
Strathmore District Orange Association	1.1287
Strathmore Fruit Growers Association	1.2820
Strathmore Packing House Co.	1.3987
Sunflower Packing Association	2.5447
Sunland Packing House Co.	3.7255
Tule River Citrus Association	.8017
La Verne Cooperative Citrus Association	.1238
Lindsay Mutual Groves	1.9170
Martin Ranch	.9490
Orange Cove Orange Growers	1.9489
Webb Packing Co., Inc.	.2650
Woodlake Packing House	1.2391
Anderson Packing Co., R. M.	.8235
Baker Bros.	.9105
California Citrus Groves, Inc., Ltd.	2.3175
Campbell, Ralph D. & P. Agnes	.0350
Darby, Fred J.	.1787
Far West Produce Distributors	.6545
Foran, Pat.	.1286
Harding & Leggett	2.4335
Independent Growers, Inc.	1.9194
Kim, Chas. N.	.0048
Kroells Packing Co.	2.1160
Lo Bue Bros.	.8123
Maas, W. A.	.0718
Marks, W. & M.	.2151
Powell, John W.	.0350
Randolph Marketing Co.	2.4531
Reimers, Don H.	1.1453
Schilling, Joseph	1.1403
Sky Acres Ranch	.1986
Smith, E. L.	.0224
Woodlake Heights Packing Corp.	.5536
Zaninovich Bros., Inc.	.5081

#### Prorate District No. 3

Total	100.0000
A. F. G. Vernon	.1698
Allen & Allen Citrus Packing Co.	1.0826
Consolidated Citrus Growers	12.7372
McKellips Citrus Co., Inc.	8.6447
Phoenix Citrus Packing Co.	1.8417
Arizona Citrus Growers	12.3840
Chandler Heights Citrus Growers	2.0953
Desert Citrus Growers Co.	7.0292



## RULES AND REGULATIONS

## PRORATE BASE SCHEDULE—Continued

## VALENCIA ORANGES—continued

## Prorate District No. 3—Continued

Handler	Prorate base (percent)
Mesa Citrus Growers	14.7019
Tempe Citrus Co.	2.0296
Imperial Valley Grapefruit Growers Association	1.1194
Redlands Heights Groves	.0353
Southern Citrus Association	1.9060
United Citrus Growers	1.3401
Yuma Mesa Fruit Growers	5.9482
Leppa-Henry Produce Co.	7.1163
Maricopa Citrus Co.	1.0212
Pioneer Fruit Co.	5.0764
Clark & Sons Produce Co., J. H.	.3343
Commercial Citrus Packing Co.	1.0329
Hi Jolly Citrus Packing House	.3986
Hill Packing House, Fred A.	.1529
Ishikawa, Paul	.0533
Macchiaroni Fruit Co., James	1.0357
Mattingly, Charles A.	.2924
Messina & Sons, Mike	.0713
Orange Belt Fruit Distributors	2.1038
Panno Fruit Co., Carlo	.3556
Paramount Citrus Association, Inc.	.0349
Potato House, The	.2526
Russo Bros.	1.3894
Sharp Co., K. K.	.2421
Sunny Valley Citrus Packing Co.	3.1031
Terraciano Fruit Co.	.2645
Valley Citrus Packing Co.	2.5437

## ALL ORANGES OTHER THAN VALENCIA ORANGES

## Prorate District No. 2

Total	100.0000
A. F. G. Alta Loma	.2530
A. F. G. Corona	.2493
A. F. G. Fullerton	.0000
A. F. G. Orange	.0000
A. F. G. Riverside	.6266
A. F. G. Santa Paula	.0444
Eadington Fruit Co., Inc.	.1738
Hazeltine Packing Co.	.0455
Krinar Packing Co.	1.6273
Placentia Cooperative Orange Association	1.0061
Placentia Pioneer Valencia Growers Association	.0589
Signal Fruit Association	.6823
Azusa Citrus Association	1.6671
Covina Citrus Association	2.4657
Covina Orange Growers Association	.6128
Damerel-Allison Co.	1.3289
Glendora Citrus Association	1.6666
Glendora Mutual Citrus Association	.7567
Puente Mutual Citrus Association	.0555
Valencia Heights Orchard Association	.2453
Gold Buckle Association	2.9103
La Verne Orange Association	4.5080
Anaheim Valencia Orange Association	.0000
Fullerton Mutual Orange Association	.0000
La Habra Citrus Association	.0000
Yorba Linda Citrus Association, The	.0000
Escondido Orange Association	.0000
Alta Loma Heights Citrus Association	.3463
Citrus Fruit Growers	1.0984
Etiwanda Citrus Fruit Association	.1672
Mountain View Fruit Association	.1735
Old Baldy Citrus Association	.4437
Rialto Heights Orange Growers	.3067
Upland Citrus Association	3.1535
Upland Heights Orange Association	1.4745
Consolidated Orange Growers	.0000
Garden Grove Citrus Association	.0295
Goldenwest Citrus Association, The	.0000
Olive Heights Citrus Association	.0000
Santiago Orange Growers Association	.0000

## PRORATE BASE SCHEDULE—Continued

## ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

## Prorate District No. 2—Continued

Handler	Prorate base (percent)
Villa Park Orchards Association, The	0.0000
Bradford Bros., Inc.	.0000
Placentia Mutual Orange Association	.0000
Placentia Orange Growers Association	.0000
Yorba Orange Growers Association	.0000
Call Ranch	.7903
Corona Citrus Association	1.1269
Jameson Co.	.7301
Orange Heights Orange Association	2.9246
Crafton Orange Growers Association	.9652
East Highlands Citrus Association	.3174
Redlands Heights Groves	.7027
Redlands Orangedale Association	.7385
Rialto-Fontana Citrus Association	.4693
Break & Son, Allen	.1786
Bryn Mawr Fruit Growers Association	.6901
Mission Citrus Association	1.0058
Redlands Cooperative Fruit Association	1.4011
Redlands Orange Growers Association	.8604
Redlands Select Groves	.4013
Rialto Orange Co.	.4521
Southern Citrus Association	.5833
United Citrus Growers	.6021
Zilen Citrus Co.	.1883
Arlington Heights Citrus Co.	.8606
Brown Estate, L. V. W.	1.7328
Gavilan Citrus Association	2.6498
Highgrove Fruit Association	.5368
McDermont Fruit Co.	1.6565
Monte Vista Citrus Association	1.4079
National Orange Co.	1.0974
Riverside Heights Orange Growers Association	.8800
Sierra Vista Packing Association	.7396
Victoria Avenue Citrus Association	3.0177
Claremont Citrus Association	1.1353
College Heights Orange & Lemon Association	2.2072
Indian Hill Citrus Association	1.6458
Pomona Fruit Growers Exchange	1.8750
Walnut Fruit Growers Association	.7908
West Ontario Citrus Association	1.3685
El Cajon Valley Citrus Association	.0000
Escondido Cooperative Citrus Association	.0000
San Dimas Orange Growers Association	1.3421
Canoga Citrus Association	.4060
North Whittier Heights Citrus Association	.2001
San Fernando Heights Orange Association	.3863
Sierra Madre-Lamanda Citrus Association	.1384
Camarillo Citrus Association	.0113
Fillmore Citrus Association	.5397
Ojai Orange Association	.0884
Piru Citrus Association	.8683
Rancho Sespe	.0008
Tapo Citrus Association	.0094
Ventura County Citrus Association	.0869
East Whittier Citrus Association	.0085
Murphy Ranch Co.	.0000
Anaheim Cooperative Orange Association	.0000
Bryn Mawr Mutual Orange Association	.5591
Chula Vista Mutual Lemon Association	.0407
Euclid Avenue Orange Association	2.7309
Foothill Citrus Union, Inc.	.4638
Garden Grove Orange Cooperative, Inc.	.0000
Golden Orange Groves, Inc.	.2776
Highland Mutual Groves	.0000

## PRORATE BASE SCHEDULE—Continued

## ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

## Prorate District No. 2—Continued

Handler	Prorate base (percent)
Index Mutual Association	0.0000
La Verne Cooperative Citrus Association	3.9234
Mentone Heights Association	.6499
Olive Hillside Groves, Inc.	.0039
Orange Cooperative Citrus Association	.0000
Redlands Foothill Groves	1.8838
Redlands Mutual Orange Association	.8078
Ventura County Orange and Lemon Association	.4598
Whittier Mutual Orange and Lemon Association	.0000
Allec Bros.	.0048
Babijuce Corp of California	.3484
Banks, L. M.	.0125
Becker, Samuel Eugene	.0204
Bennett Fruit Co., Inc.	.3946
Book, Maynard C.	.0003
Borden Fruit Co.	.0000
Cherokee Citrus Association	.6823
Chess Co., Meyer W.	.3792
Christian, Guy	.0025
Dozier, Paul M.	.0039
Dunning Ranch	.1766
Evans Bros. Packing Co.	1.0441
Gold Banner Association	1.6945
Granada Hills Packing Co.	.0000
Granada Packing House	.0969
Hill Packing Co., Fred A.	.6761
Holland, M. J.	.0221
Knapp Packing Co., John C.	.1342
Orange Belt Fruit Distributors	2.5770
Orange Hill Groves	.0189
Panno Fruit Co., Carlo	.0344
Paramount Citrus Association, The	.0875
Placentia Orchard Co.	.0000
Prescott, John A.	.0000
Pulos, James J.	.0378
Redlands Fruit Association, Inc.	.0158
Riverside Citrus Association	.1212
Ronald, P. W.	.0531
San Antonio Orchard Co.	2.4925
Stephens, T. F.	.1993
Summit Citrus Packers	.0588
Wall, E. T., Grower-Shipper	2.4327
Western Fruit Growers, Inc.	3.3787

[F. R. Doc. 51-4537; Filed, Apr. 13, 1951; 12:46 p. m.]

## TITLE 8—ALIENS AND NATIONALITY

## Chapter I—Immigration and Naturalization Service, Department of Justice

## Subchapter B—Immigration Regulations

## PART 105—HEAD TAX

## EXEMPTION

MARCH 2, 1951.

Effective as of July 13, 1950, paragraph (r) of § 105.3 of Chapter I, Title 8 of the Code of Federal Regulations, is amended so that when taken with the introductory sentence it will read as follows:

§ 105.3 Aliens not subject to head tax. The head tax shall not be levied upon the following classes of aliens:

(r) Eligible displaced persons, eligible displaced orphans, persons of German ethnic origin, and adopted children. Eligible displaced persons and eligible



displaced orphans as defined in sections 2 (c), 2 (d), 2 (e), and 2 (g) of the Displaced Persons Act of 1948, as amended, and persons of German ethnic origin and the adopted children of American citizens who qualify for admission under sections 12 (a) and 12 (c), respectively, of the Displaced Persons Act of 1948, as amended.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. and Sup. 102, 222, 458. Interprets or applies sec. 5, 62 Stat. 1011, sec. 10, Pub. Law 555, 81st Cong.; 50 U. S. C. App. Sup., 1954)

The amendatory regulation prescribed by this order is necessary to carry out the amendment to the Displaced Persons Act of 1948 made by section 10 of Public Law 555, 81st Congress, which was approved on June 16, 1950, and which became effective on that date. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) is impracticable and unnecessary because the amendatory regulation prescribed by this order merely recognizes a statutory exemption, which is clearly advantageous to persons affected thereby.

A. R. MACKEY,  
Acting Commissioner,  
Immigration and Naturalization.

Approved: April 10, 1951.

J. HOWARD McGRATH,  
Attorney General.

[F. R. Doc. 51-4479; Filed, Apr. 16, 1951;  
8:49 a. m.]

#### PART 170—REGISTRATION AND FINGERPRINTING OF ALIENS IN ACCORDANCE WITH THE ALIEN REGISTRATION ACT, 1940

##### REPLACEMENT OF ALIEN REGISTRATION RECEIPT CARDS

MARCH 19, 1951.

Section 170.9 of Chapter I, Title 8 of the Code of Federal Regulations, is amended to read as follows:

§ 170.9 *Issuance of new alien registration receipt card in changed name, or in lieu of one lost, mutilated, destroyed, or on Form AR-3 or AR-103.* (a) Any alien lawfully admitted to the United States for permanent residence whose name has been changed after registration by order of court or by marriage, or whose alien registration receipt card has been lost, mutilated, or destroyed, or who is in possession of a receipt card that does not constitute prima-facie evidence of his lawful admission for permanent residence (Forms AR-3 and AR-103), may apply for a new receipt card. Application therefor shall be made under oath or affirmation on Form AR-16. If the alien is less than fourteen years of age, the application shall be made by his parent or guardian. If no parent or guardian is available, the matter shall be reported to the district director having jurisdiction over the case for instructions concerning the procedure to be followed in replacing the original receipt card.

(b) The application shall be submitted to the appropriate Immigration and Naturalization Service field office as required by § 60.30 (a) of this chapter,

and shall be accompanied by two photographs of the alien which shall meet the specifications prescribed therefor by § 364.1 of this chapter, by a fee of one dollar in accordance with section 342 (b) (8) of the Nationality Act of 1940, remitted as required by § 60.30 (b) of this chapter and, if the application is for the issuance of a receipt card in a changed name, by appropriate documentary evidence of such change. If the applicant is in possession of a mutilated receipt card, a Form AR-3 or AR-103 receipt card, or an immigrant identification card, the same must be surrendered before a new receipt card is issued.

(c) When an application for a new receipt card is received, an investigation shall, if necessary, be conducted by an officer of the Immigration and Naturalization Service for the purpose of determining whether or not the application should be granted. The officer considering the case shall submit a report in writing to the district director for consideration and decision on the application.

(d) Upon consideration of the application and record, the district director may, if satisfied that the applicant's name has been changed after registration by order of court or by marriage, or that the original receipt card has been lost, mutilated, destroyed, or was issued on Form AR-3 or AR-103 for which a replacement is desired, and that the applicant has been lawfully admitted for permanent residence, issue a new receipt card on Form I-151, which shall be mailed to the alien. Form I-151 shall be utilized as the new receipt card notwithstanding that the card which is alleged to be lost, mutilated, destroyed, or for which a replacement is desired, was issued originally on Form AR-3 or AR-103. The district director shall place thereupon the proper registration number, affix the alien's photograph, and mark the form to show that it is a duplicate of an original receipt card which has been lost, mutilated, destroyed, or surrendered. The new receipt card on Form I-151 shall be mailed by the district director directly to the alien or, if the alien is less than fourteen years of age, to his parent or guardian. If the district director is satisfied that a new receipt card should not be issued, he shall deny the application and take

whatever action is deemed appropriate under existing laws and regulations. Upon denial of any application, the fee accompanying the application shall be refunded to the applicant.

(e) An alien seaman who has been admitted to the United States as a nonimmigrant under the provisions of section 3 (5) of the Immigration Act of 1924, has remained for 30 days or more, has been registered and fingerprinted, and whose alien registration receipt card (Seaman Form AR-103-S) has been lost, mutilated, or destroyed, shall be re-registered and given a new receipt card. A mutilated receipt card must be surrendered before a new receipt card is issued.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458)

A. R. MACKEY,  
Acting Commissioner,  
Immigration and Naturalization.

Approved: April 10, 1951.

J. HOWARD McGRATH,  
Attorney General.

[F. R. Doc. 51-4480; Filed, Apr. 16, 1951;  
8:47 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter I—Civil Aeronautics Board

#### Subchapter A—Civil Air Regulations

[Supp. 7, Amdt. 69]

#### PART 60—AIR TRAFFIC RULES

##### DANGER AREA ALTERATIONS

The danger area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Air-space Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Title 14, § 60.13-1 is amended as follows:

The Matagorda Island, Texas, area, published on April 21, 1949, in 14 F. R. 1913, and revised on November 10, 1950, in 15 F. R. 7548, is further revised by adding the following:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
MATAGORDA ISLAND (San Antonio Chart).	Area III: Beginning at lat. 28°14'30" N, long. 96°36'00" W; southwesterly along the off-shoreline of Matagorda Island to lat. 28°03'30" N, long. 96°51'30" W; northeasterly along the in-shoreline of Matagorda Island to lat. 28°15'30" N, long. 96°37'00" W; SE to lat. 28°14'30" N, long. 96°36'00" W, point of beginning.	Surface to 20,000 feet.	Daylight hours, 7 days a week.	8th Air Force, Carswell AFB, Fort Worth, Tex.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on April 13, 1951.

[SEAL]

J. S. MARRIOTT,  
Acting Administrator  
of Civil Aeronautics.

[F. R. Doc. 51-4479; Filed, Apr. 16, 1951;  
8:47 a. m.]

### Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 45]

#### PART 600—DESIGNATION OF CIVIL AIRWAYS

##### MISCELLANEOUS AMENDMENTS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the



Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required.

Part 600 is amended as follows:

1. Section 600.107 Amber civil airway No. 7 is amended by changing caption to read: "*Amber civil airway No. 7 (Key West, Fla., to U. S.-Canadian Border)*" and by changing last phrase to read: "Presque Isle, Maine, radio range station via a direct line between the Presque Isle, Maine, radio range station and the Mont Joli, Quebec, Canada, radio range station to the U. S.-Canadian Border."

2. Section 600.222 Red civil airway No. 22 is amended by changing caption to read: "*Red civil airway No. 22 (Mount Clemens, Mich., to Rochester, N. Y.)*" and by adding a first sentence to read: "From the Mount Clemens, Mich., Selfridge AFB radio range station to the intersection of the southeast course of the Selfridge AFB radio range and the west course of the Clear Creek, Ont., Canada, radio range, excluding the portion which lies outside the continental United States."

3. Section 600.617 Blue civil airway No. 17 (*Bangor, Maine, to Presque Isle, Maine*), is amended by changing last portion to read: "the intersection of the north course of the Houlton, Maine, radio range and the southeast course of the Presque Isle, Maine, radio range via the Presque Isle, Maine, radio range station to the Municipal Airport, Caribou, Maine, excluding that portion which lies outside the continental United States."

4. Section 600.681 Blue civil airway No. 81 is amended by changing caption to read: "*Blue civil airway No. 81 (Charleston, W. Va., to U. S.-Canadian Border)*" and by adding a last phrase to read: "from the intersection of the east course of the Cleveland, Ohio, radio range and the southeast course of the Sarnia, Ontario, Canada, radio range to the intersection of the southeast course of the Sarnia, Ontario, Canada, radio range with the U. S.-Canadian Border."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452)

This amendment will become effective 0001 e. s. t. April 17, 1951.

J. S. MARRIOTT,  
Acting Administrator of  
Civil Aeronautics.

[F. R. Doc. 51-4509; Filed, Apr. 16, 1951;  
8:53 a. m.]

[Amdt. 48]

PART 601—DESIGNATION OF CONTROL  
AREAS, CONTROL ZONES, AND REPORTING  
POINTS

#### MISCELLANEOUS AMENDMENTS

The control area, control zone and reporting point alterations appearing

hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required.

Part 601 is amended as follows:

1. Section 601.13 is amended to read:

§ 601.13 *Green civil airway No. 3 control areas (San Francisco, Calif., to Boston, Mass.)*. All of Green civil airway No. 3 including all that area within 5 miles either side of the en route and altitude change radials and the area between the altitude change and en route radials from the Fort Bridger, Wyo., omnirange station to the Rock Springs, Wyo., omnirange station via the direct en route and 15° north altitude change radials; from the Rock Springs, Wyo., omnirange station to the Cherokee, Wyo., omnirange station via the direct en route and 15° north altitude change radials; from the Cherokee, Wyo., omnirange station to the Rock River, Wyo., omnirange station via the direct en route and 15° north altitude change radials; from the Rock River, Wyo., omnirange station to the Cheyenne, Wyo., omnirange station via the direct en route and 15° north altitude change radials and from the Rock River, Wyo., omnirange station to the Laramie, Wyo., omnirange station via the direct en route radials; from the Laramie, Wyo., omnirange station to the Cheyenne, Wyo., omnirange station via the direct en route radials; Cheyenne, Wyo., omnirange station to the Sidney, Nebr., omnirange station via the direct en route and 15° north altitude change radials; from the Sidney, Nebr., omnirange station to the North Platte, Nebr., omnirange station via the direct en route and 15° north altitude change radials; North Platte, Nebr., omnirange station to the Grand Island, Nebr., omnirange station via the direct en route and 15° north altitude change radials; from the Grand Island, Nebr., omnirange station to the Omaha, Nebr., omnirange station via the direct en route radials, including all that area bounded on the north by Green civil airway No. 3 on the south by the Grand Island-Omaha direct en route radials and on the east by Amber civil airway No. 4. From the Chicago Heights, Ill., omnirange station to the intersection of the Chicago Heights omnirange 333° True en route radial and the Chicago-Midway ILS localizer course; from the Chicago Heights, Ill., omnirange station to the Millersburg, Ind., omnirange station via the direct en route and 15° south altitude change radials; Millersburg, Ind., omnirange station to the Toledo, Ohio, omnirange station via the direct en route and 15° north and south altitude change radials; Toledo, Ohio, omnirange station to the Cleveland, Ohio, omnirange station via the direct en route radials excluding danger areas; Cleveland, Ohio, omnirange station to the Youngstown, Ohio, omnirange station via the direct

en route and 15° north altitude change radials and the Cleveland 116° True and the Youngstown 250° True altitude change radials; Toledo, Ohio, omnirange station to the Youngstown, Ohio, omnirange station via the intersection of the Toledo 119° True altitude change radial and the west course of the Wellington, Ohio, VHF VAR station including all that area bounded on the north by Green civil airway No. 3 on the east by Red civil airway No. 62, on the southwest by the Toledo, Ohio, omnirange 119° True radial and on the south by the west course of the Wellington, Ohio, VHF VAR station; Wellington, Ohio, VHF VAR station; the intersection of the east course of the Wellington, Ohio, VHF VAR station and the Youngstown 250° True altitude change radial; from the Youngstown, Ohio, omnirange station to the Philipsburg, Pa., omnirange station via the direct en route and the Youngstown 87° True and the Philipsburg 303° True altitude change radials; Philipsburg, Pa., omnirange station to the Selinsgrove, Pa., omnirange station via the direct en route radials; Selinsgrove, Pa., omnirange station to the Allentown, Pa., omnirange station via the direct en route radials; Allentown, Pa., omnirange station to the Matawan, N. J., VHF VAR station via the Allentown omnirange direct en route radial; from the Allentown, Pa., omnirange station to the Linden, N. J., nondirectional radio beacon via the Allentown omnirange direct en route radial; from the Allentown, Pa., omnirange station to the Caldwell, N. J., omnirange station via the direct en route radials; and from the Philipsburg, Pa., omnirange station to the Caldwell, N. J., omnirange station via the Philipsburg 83° True and the Caldwell 277° True altitude change radials; from Selinsgrove, Pa., omnirange station to the Caldwell, N. J., omnirange station via the Selinsgrove 78° True and the Caldwell 277° True altitude change radials, and from the Philipsburg, Pa., omnirange station to the Allentown, Pa., omnirange station via the Philipsburg 113° True and the Allentown 258° True altitude change radials, excluding that portion which lies more than 3 miles south of the Allentown, Pa., omnirange 258° True altitude change radial.

2. Section 601.14 *Green civil airway No. 4 control areas (Los Angeles, Calif., to Philadelphia, Pa.)* is amended by adding the following control areas before "Wichita, Kans., omnirange station" to read: "Gage, Okla., omnirange station to the Anthony, Kans., omnirange station via the direct en route and 15° northwest altitude change radials; from the Anthony, Kans., omnirange station to the Wichita, Kans., omnirange station via the direct en route and 15° northwest altitude change radials;"

3. Section 601.15 is amended to read:

§ 601.15 *Green civil airway No. 5 control areas (Los Angeles, Calif., to Boston, Mass.)*. All of Green civil airway No. 5 including all that area within 5 miles either side of the en route and altitude change radials and the area between the altitude change and en route radials from the intersection of the Douglas, Ariz., omnirange 63° True en route and



the Columbus, N. Mex., 276° True en route radials to the Columbus, N. Mex., omnirange station via the Columbus 276° True en route radial; from the Columbus, N. Mex., omnirange station to the El Paso, Tex., omnirange station via the direct en route and 15° north altitude change radials; from the El Paso, Tex., omnirange station to the Salt Flat, Tex., omnirange station via the direct en route and 15° north altitude change radials; from the Salt Flat, Tex., omnirange station to the Wink, Tex., omnirange station via the direct en route and 15° north altitude change radials; from the Wink, Tex., omnirange station to the Midland, Tex., omnirange station via the direct en route and 15° north altitude change radials; from the Midland, Tex., omnirange station to the Big Spring, Tex., omnirange station via the direct en route and 15° north altitude change radials; from the Big Spring, Tex., omnirange station to the Abilene, Tex., omnirange station via the direct en route and 15° south altitude change radials; from the Abilene, Tex., omnirange station to the Mineral Wells, Tex., omnirange station via the direct en route and 15° north altitude change radials; from the Mineral Wells, Tex., omnirange station to the Fort Worth, Tex., omnirange station via the direct en route radials.

4. Section 601.103 *Amber civil airway No. 3 control areas (El Paso, Tex., to Great Falls, Mont.)* is amended by adding concluding phrases to read: "from the Cheyenne, Wyo., omnirange station to the Douglas, Wyo., omnirange station via the direct en route and 15° east altitude change radials; from the Douglas, Wyo., omnirange station to the Casper, Wyo., omnirange station via the direct en route and 15° north altitude change radials."

5. Section 601.107 is amended by changing the caption to read: "*Amber civil airway No. 7 control areas (Key West, Fla., to U.-S.-Canadian Border)*".

6. Section 601.209 is amended to read:

§ 601.209 *Red civil airway No. 9 control areas (San Diego, Calif., to Winslow, Ariz.)*. All of Red civil airway No. 9 including all that area within 5 miles either side of the en route and altitude change radials and the area between the altitude change and en route radials from the San Diego, Calif., omnirange station to the Yuma, Ariz., omnirange station via the intersection of the San Diego 108° True en route radial and the Yuma 267° True en route radial; from the Yuma, Ariz., omnirange station to the Gila Bend, Ariz., omnirange station via the direct en route radials.

7. Section 601.222 is amended by changing caption to read: "*Red civil airway No. 22 control areas (Mount Clemens, Mich., to Rochester, N. Y.)*".

8. Section 601.609 is amended to read:

§ 601.609 *Blue civil airway No. 9 control areas (Columbia, Mo., to United State-Canadian Border)*. All of Blue civil airway No. 9 including all that area within 5 miles either side of the en route and altitude change radials and the area between the altitude change and en route radials from the Columbia, Mo., omnirange station to the Kirksville, Mo.,

omnirange station via the direct en route and 15° east altitude change radials; from the Kirksville, Mo., omnirange station to the Des Moines, Iowa, omnirange station via the direct en route and 15° northeast altitude change radials.

9. Section 601.613 is amended to read:

§ 601.613 *Blue civil airway No. 13 control areas (Houston, Tex., to Minneapolis, Minn.)*. All of Blue civil airway No. 13 including all that area within 5 miles either side of the en route and altitude change radials and the area between the altitude change and en route radials from the Lamoni, Iowa, omnirange station to the Des Moines, Iowa, omnirange station via the direct en route and 15° east and west altitude change radials.

10. Section 601.637 is amended to read:

§ 601.637 *Blue civil airway No. 37 control areas (Casper, Wyo., to Rapid City, S. Dak.)*. All of Blue civil airway No. 37 including all that area within 5 miles either side of the en route and altitude change radials and the area between the altitude change and en route radials from the Rock River, Wyo., omnirange station to the Casper, Wyo., omnirange station via the direct en route and 15° east altitude change radials.

11. Section 601.661 is amended to read:

§ 601.661 *Blue civil airway No. 61 control areas (Springfield, Mo., to Kansas City, Mo.)*. All of Blue civil airway No. 61 including all that area within 5 miles either side of the en route and altitude change radials and the area between the altitude change and en route radials from the Springfield, Mo., omnirange station to the Butler, Mo., omnirange station via the direct en route and 15° east altitude change radials.

12. Section 601.681 is amended by changing the caption to read: "*Blue civil airway No. 81 (Charleston, W. Va., to U. S.-Canadian Border)*".

13. Section 601.1003 is amended to read:

§ 601.1003 *Control area extension (Beaumont, Tex.)*. From the Beaumont, Tex., radio range station extending 5 miles either side of the north course of the radio range to a point 20 miles north of the radio range station and extending 5 miles either side of the south course of the radio range to a point 25 miles south of the radio range station.

14. Section 601.1006 is amended to read:

§ 601.1006 *Control area extension (Lake Charles, La.)*. From the Lake Charles, La., radio range station extending 5 miles either side of the south course of the radio range to a point 20 miles south of the radio range station and extending 5 miles either side of the north course of the radio range to a point 25 miles north of the radio range station.

15. Section 601.1007 is amended to read:

§ 601.1007 *Control area extension (Laredo, Tex.)*. From the Laredo, Tex., radio range station extending 5 miles either side of the northwest course of the radio range to a point 20 miles northwest of the radio range station and extending 5 miles either side of the southeast course of the radio range to a point 25 miles southeast of the radio range station, excluding the portion which lies outside the continental limits of the United States.

16. Section 601.1021 *Control area extension, Tampa, Fla.* is revoked.

17. Section 601.1073 is amended to read:

§ 601.1073. *Control area extension (Fresno, Calif.)*. All that area within a 35-mile radius of the Fresno Air Terminal extending clockwise from a line bearing 153° True from the Fresno Air Terminal to a line bearing 316° True from the Fresno Air Terminal, and extending 5 miles either side of the northeast course of the Fresno, Calif., radio range from the radio range station to a point 20 miles northeast.

18. Section 601.1112 *Control area extension, Seattle, Wash.*, is revoked.

19. Section 601.1124 is amended to read:

§ 601.1124 *Control area extension (Eugene, Oreg.)*. From the Eugene, Oreg., radio range station extending 5 miles either side of the west course of the radio range to a point 25 miles west of the radio range station and all that area north of the Eugene radio range station bounded on the east by Amber civil airway No. 1, on the west by long. 123°20'00" and on the north by lat. 44°38'00".

20. Section 601.1133 is amended to read:

§ 601.1133 *Control area extension (Seattle, Wash.)*. From the Seattle, Wash., radio range station extending 5 miles either side of a true bearing of 258° to a point 25 miles from the radio range station; all that area southwest of the Seattle, Wash., radio range station bounded on the north and west by Blue civil airway No. 71 and on the east by Amber civil airway No. 1 excluding the portion which overlaps the Fort Lewis, Wash., danger area, and all that area bounded on the east by Blue civil airway No. 71, on the south by lat. 46°35'00", and on the west by long. 123°03'00".

21. Section 601.1173 *Control area extension (San Francisco, Calif.) (North dogleg route)* is amended by deleting the words: "at lat. 37°23'00", long. 125°05'00".

22. Section 601.1174 *Control area extension (San Francisco, Calif.) (Rhumb line route)* is amended by deleting the words: "at lat. 36°39'00", long. 124°04'30".

23. Section 601.1175 *Control area extension (San Francisco, Calif.) (San Francisco-Honolulu south dogleg route)* is amended by deleting the words: "at lat. 36°19'30", long. 124°21'30".

24. Section 601.1176 *Control area extension (Santa Barbara, Calif.) (Santa Barbara-Honolulu rhumb line route)* is



amended by deleting the words: "at lat. 33°24'00", long. 122°26'00".

25. Section 601.1177 *Control area extension (Long Beach, Calif.) (Long Beach-Honolulu route)* is amended by deleting the words: "at lat. 31°35'00", long. 121°19'30".

26. Section 601.1215 is amended to read:

§ 601.1215 *Control area extension (Galveston, Tex.)*. All that area extending from the Houston, Tex., control area to the New Orleans Oceanic Control Area bounded on the west by a line from lat. 29°05'00", long. 95°00'00" to lat. 28°03'00", long. 94°20'00" and bounded on the east by a line from lat. 29°27'45", long. 94°37'00" to lat. 28°15'00", long. 92°00'00", excluding that portion below 2,500 feet between the U. S. shoreline and the New Orleans Oceanic Control Area.

27. Section 601.1237 is added to read:

§ 601.1237 *Control area extension (Waco, Tex.)*. All that area within a 25-mile radius of the Waco, Tex., radio range station in the east quadrant of the radio range bounded on the northwest by the present control area and on the southwest by Blue civil airway No. 5.

28. Section 601.1238 is added to read:

§ 601.1238 *Control area extension (Amarillo, Tex.)*. All that area within a 25-mile radius of the Amarillo radio range station.

29. Section 601.1239 is added to read:

§ 601.1239 *Control area extension (Lubbock, Tex.)*. All that area within a 25-mile radius of the Lubbock, Tex., radio range station.

30. Section 601.1240 is added to read:

§ 601.1240 *Control area extension (Tyler, Tex.)*. All that area within a 25-mile radius of the Tyler, Tex., radio range station.

31. Section 601.1241 is added to read:

§ 601.1241 *Control area extension (Tulsa, Okla.)*. All that area within a 25-mile radius of the Tulsa, Okla., radio range station.

32. Section 601.1242 is added to read:

§ 601.1242 *Control area extension (Stockton, Calif.)*. All that area within a 15-mile radius of the Modesto, Calif., omnirange station; all that area southwest of the Stockton, Calif., radio range station bounded on the west by Blue civil airway No. 7, on the north by Red civil airway No. 60, on the east by Blue civil airway No. 14 and on the south by the northern boundary of the Vernalis Danger Area; all that area northwest of the Stockton, Calif., radio range station bounded on the south by Red civil airway No. 60, on the west by Blue civil airway No. 7, on the northwest by Green civil airway No. 3, on the east by Amber civil airway No. 1 and Blue civil airway No. 14, excluding the portion which overlaps the Antioch Danger Area.

33. Section 601.2124 is amended to read:

§ 601.2124 *Roswell, N. Mex., control zone*. Within a 15-mile radius of the Roswell, N. Mex., radio range station.

34. Section 601.4107 is amended by changing caption to read: "Amber civil airway No. 7 (Key West, Fla., to U. S.-Canadian Border)."

35. Section 601.4222 is amended by changing caption to read: "Red civil airway No. 22 (Mount Clemens, Mich., to Rochester, N. Y.)."

36. Section 601.4299 is amended to read:

§ 601.4299 *Red civil airway No. 99 (Iliamna, Alaska, to Homer, Alaska)*. The Iliamna, Alaska, radio range station.

37. Section 601.4681 is amended by changing caption to read: "Blue civil airway No. 81 (Charleston, W. Va., to U. S.-Canadian Border)."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551.)

This amendment shall become effective 0001 e. s. t. April 17, 1951.

J. S. MARRIOTT,  
Acting Administrator of  
Civil Aeronautics.

[F. R. Doc. 51-4510; Filed, Apr. 16, 1951;  
8:53 a. m.]

## TITLE 32A—NATIONAL DEFENSE, APPENDIX

### Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Ceiling Price Regulation, Supplementary Regulation 3]

#### GCPR, SR 3—FOOD, AGRICULTURAL AND RELATED COMMODITIES Correction

In Federal Register Document 51-2329, appearing in the issue for Wednesday, February 14, 1951, section 1 (d) is corrected by changing the colon at the end thereof to a period.

[Ceiling Price Regulation 18, Amdt. 1]

#### CPR 18—MANUFACTURES' PRICES FOR WOOL YARN AND FABRICS

##### EXTENSION OF TIME FOR PERMISSIVE USE

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment 1 to Ceiling Price Regulation 18 (16 F. R. 3039) is hereby issued.

##### STATEMENT OF CONSIDERATIONS

Ceiling Price Regulation 18 established methods by which manufacturers of wool yarns or fabrics are to determine their ceiling prices. Manufacturers subject to the order were directed to begin using ceiling prices established by Ceiling Price Regulation 18 on and after April 16, 1951.

Subsequent to the issuance of Ceiling Price Regulation 18 a substantial number of manufacturers subject to the regulation informed the Director of Price Stabilization that the computations necessary to determine ceiling prices could not be completed by April 16, 1951. Many of the larger manufacturers will

have to compute the ceiling prices of over 500 items. Moreover, manufacturers who are currently delivering at prices fixed by the General Ceiling Price Regulation would on April 16, 1951, have to cease delivering those fabrics whose ceiling prices they have not yet computed under Ceiling Price Regulation 18, since, in the absence of such computations, they cannot obtain the requisite authorization from the Director of Price Stabilization to continue delivering at their former prices.

This amendment extends until May 5, 1951 the date upon which manufacturers must begin to use ceiling prices established by Ceiling Price Regulation 18. This extension of time will allow manufacturers an additional period in which to compute ceiling prices under Ceiling Price Regulation 18. Until May 5, 1951, they may, at their own option, use ceiling prices fixed either by the General Ceiling Price Regulation or Ceiling Price Regulation 18. The extension also will provide the additional time necessary for a manufacturer to obtain authorization to perform the contracts specified in section 8 of Ceiling Price Regulation 18.

##### AMENDATORY PROVISIONS

Ceiling Price Regulation 18 (16 F. R. 3039) is amended as follows:

In sections 1, 8, 10 and 12 wherever the date April 16, 1951, appears, it is amended to read May 5, 1951.

(Sec. 704, Pub. Law 774, 81st Cong. Interprets or applies Title IV, Pub. Law 774, 81st Cong. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.)

This amendment shall become effective on April 16, 1951.

MICHAEL V. DiSALLE,  
Director of Price Stabilization.

APRIL 16, 1951.

[F. R. Doc. 51-4560; Filed, Apr. 16, 1951;  
11:08 a. m.]

### Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-4, as Amended Apr. 16, 1951]

#### M-4—CONSTRUCTION

This order as amended is found necessary and appropriate to promote the national defense, and is issued pursuant to authority granted by section 101 of the Defense Production Act of 1950. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, in the issuance of this amendment, consultation with industry representatives has been rendered impracticable due to the necessity of immediate action.

This amendment deletes the parenthetical phrase following "Swimming pool" in List A and adds "Tobacco auction warehouse" to List B.



As amended, NPA Order M-4 reads as follows:

Sec.

1. What this order does.
2. Policy of the National Production Authority.
3. Definitions.
4. Prohibited construction.
5. Exemptions.
6. Authorization for certain construction.
7. Multiple use of buildings, structures or projects.
8. Scope of this order.
9. Prohibited deliveries.
10. Defense against claims for damages.
11. Applications for adjustment or exception.
12. Communications.
13. Reports.
14. Violations.
15. List A—Prohibited construction.
16. List B—Construction where NPA authorization is required.

**AUTHORITY:** Sections 1 to 16 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

**SECTION 1. What this order does.** In order to further the purposes of the Defense Production Act of 1950 by conserving critical materials and services needed for the defense program, this order prohibits the commencement of construction of certain types of buildings, structures and projects unless specific exception is made, or authorization issued, by the National Production Authority. The construction prohibited generally does not further the defense effort, either directly or indirectly, and does not increase the Nation's production capacity for defense. The order allows, within specified limits, small construction jobs, and necessary maintenance and repair of buildings, structures or projects, and also permits, under specified circumstances, the restoration of buildings, structures, or projects in the event of a disaster, act of God, or an act of war.

**SEC. 2. Policy of the National Production Authority.** In the event that increasing shortages clearly indicate the necessity for such action, in the national interest, the National Production Authority may further limit the commencement of construction of additional types of buildings, structures or projects which do not support the defense effort, or increase the Nation's production capacity for defense.

**SEC. 3. Definitions.** For the purpose of this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) "Construction" means the erection of any building, structure, or project, or addition or extension thereto, or alteration thereof, through the incorporation-in-place on the site of materials which are to be an integral and permanent part of the building, structure or project.

(c) (1) "Commence construction" means to incorporate into a building, structure or project, a substantial quantity of materials which are to be an

integral and permanent part of such building, structure, or project (for example, the pouring or placing of footings or other foundations).

(2) The following activities do not constitute commencing construction: Demolition of buildings; tearing out partitions; site preparation; erecting temporary fences or construction barricades, work sheds, and shanties; bringing utilities to the site; fabrication or processing of building materials, building equipment, or personal property to be installed.

(d) "Construction cost" means the total expense for demolition of existing structures in connection with a new construction, for site preparation, and for building materials, building equipment, labor and services used in the construction of the particular building, structure, or project, by whomever spent. It does not include the cost of personal property, or the expense for land acquisition, attorneys, architects, and financing.

(e) "Consumer goods" means articles or commodities that directly satisfy human wants or desires, and which are capable of use without further processing (for example, clothing, food, furniture, floor covering, household appliances, motor vehicles, etc.). They are distinguished from capital goods (for example, dynamos, industrial ovens, generators, etc.). They are distinguished also from production goods that satisfy wants only indirectly as factors in the production of other articles or commodities (for example, machine tools, heavy duty presses, etc.).

(f) "Damage restoration" means restoring to substantially the same size and condition on the same site, any building, structure or project which has been damaged by storm, fire, flood, or other disaster, or by act of God, or act of war.

(g) "Maintenance and repair" means such work as is necessary to keep a building, structure, or project in sound working condition or to rehabilitate a building, structure, or project or any portion thereof, when the same has been rendered unsafe or unfit for service by wear and tear, or other similar causes. The term does not include any building operation or job where substantial structural alterations or changes in design are made.

(h) "Personal property" means property used in connection with, but which does not become a part of, the building, structure, or project in the sense of its becoming a permanent part of the real property upon which it is located or in which it is installed.

(i) "Office building" means any building the principal use of which is to provide office space or office facilities, regardless of whether it is designed for the exclusive or partial use of its owner or is to be used commercially and rented to prospective tenants, including buildings for use by government agencies. The size of the building is not a determinative factor in deciding whether a building is an office building as the term includes both one-story and multi-storied structures; but the term does not include a private residence with incidental office space located therein for the use of the occupant.

(j) "Hotel" means either or both an establishment furnishing sleeping accommodations for transient guests, or an establishment classified as a hotel under applicable State, municipal, or other local law.

**SEC. 4. Prohibited construction.** (a)

(1) Except as permitted in section 5 of this order, or pursuant to an adjustment or exception granted under section 11 of this order, after midnight October 26, 1950, no person shall commence construction of any building, structure, or project to be used for, or in connection with, any of the purposes specified, as set forth in section 15 of this order.

(2) Since October 26, 1950, the National Production Authority has issued exceptions to permit the commencement of construction of specific buildings, structures, or projects of the type prohibited by section 15 of this order. All such exceptions granted prior to January 13, 1951, will cease to be effective 120 days after the date of issuance, unless construction has been commenced within that time; and construction of any such building, structure, or project may not be commenced thereafter without a further authorization from the National Production Authority.

(b) (1) After midnight, January 13, 1951, no person shall commence construction of any building, structure, or project to be used for, or in connection with, any of the purposes specified, as set forth in section 16 of this order, until a specific authorization therefor has been issued by the National Production Authority. As a general rule, no authorization will be issued prior to February 15, 1951. However, in emergency situations, an authorization may be issued by the National Production Authority prior to that date. (The conditions which must exist before an authorization will be issued are set forth in section 6 of this order.)

(2) Further, in matters involving unreasonable hardship, or when required in the interest of the national defense, the National Production Authority may grant an exception from this order at any time, pursuant to section 11 of this order, with respect to types of construction specified in section 16.

**SEC. 5. Exemptions.** The following construction in connection with the buildings, structures, or projects to be used in connection with any of the purposes specified in sections 15 and 16 of this order is exempted from this order:

(a) Maintenance and repair on any building, structure, or project.

(b) Small jobs of new construction or in connection with any such building, structure, or project including, but not limited to, alterations, additions, improvement, and modernization, provided the work does not require the use of partitions made in whole or part of metal, where the cost of all such work shall not exceed:

(1) In the case of alterations, additions, improvement, or modernization of hotels, store-space of department stores, office buildings, and loft buildings, 25 cents per square foot of occupied space for any consecutive 12-month period. (In computing this cost, both construc-



tion cost and all other expenses or charges incident to the work shall be taken into consideration.)

(2) In the case of any type of construction of all other buildings, structures, or projects specified in section 15 (List A) and section 16 (List B), \$5,000 for any consecutive twelve-month period. (In computing this cost, only construction cost shall be considered.)

(c) Reconstruction of any such building, structure, or project following a fire, flood, storm, disaster, act of God, or act of war, which occurred on or after July 29, 1950.

(d) Construction by, or for the account of, the Department of Defense, the Atomic Energy Commission, or the National Advisory Committee for Aeronautics.

(e) Buildings, structures or projects for radio-broadcasting and television broadcasting.

(f) Printing establishments where the primary use of the building is the publication of a newspaper; or printing establishments which are operated by a publishing company primarily for the publication of books and periodicals.

(g) Terminal warehouses which are an integral part of a common carrier system.

**Sec. 6. Authorization for certain construction.** (a) Any person desiring to erect a building, structure, or project to be used for, or in connection with, any of the purposes specified, as set forth in section 16 of this order, may apply for a National Production Authority authorization to commence such construction. The application shall be made on NPA Form NPAF-24, copies of which are available at all field offices of the Department of Commerce, and should be addressed to the field office of the Department of Commerce in the region of the site of the proposed construction.

(b) Authorization under this section will be granted if the National Production Authority is satisfied that the desired construction conforms to the following requirements:

(1) It furthers the defense effort by providing facilities of the type specified in section 16 of this order in areas adjacent to military establishments or defense plants and projects, which construction the National Production Authority considers necessary to furnish or to supplement facilities in connection with the activities of the Defense Production Administration, the Department of Defense or the Atomic Energy Commission, including their programs for increasing production capacity; or

(2) It is essential to maintenance of public health, safety or welfare.

(c) Further, with respect to an application for authorization to construct a facility not directly related to the defense effort, the NPA will consider the type and quantity of materials on hand, and needed, for the facility, and the effect on the community at large if the authorization were denied.

**Sec. 7. Multiple use buildings, structures, or projects.** Where a building, structure, or project to be constructed is designed for a number of different uses and occupants, no portion thereof shall

be constructed for use or occupancy in connection with any of the purposes specified in sections 15 or 16 of this order where the construction cost apportionable to such use or occupancy will exceed the small job exemption provided for in section 5 (b) of this order.

**Sec. 8. Scope of this order.** This order shall apply to construction in the 48 States, the District of Columbia, and in the territories and insular possessions of the United States.

**Sec. 9. Prohibited deliveries.** No person shall accept an order for, sell, deliver, or cause to be delivered, material, equipment, or supplies which he knows, or has reason to believe, will be used in violation of the provisions of this order.

**Sec. 10. Defense against claims for damages.** No person shall be held liable for damages or penalties for any default under contract or order which shall result directly or indirectly from compliance with any regulation or order of the National Production Authority (including any direction, directive or other instruction), notwithstanding that any such regulation or order shall thereafter be declared by a judicial or other competent authority to be invalid.

**Sec. 11. Applications for adjustment or exception.** Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that:

(a) Such provision works an unreasonable hardship upon him not suffered generally by others in the same trade, industry, or other relative position; or that enforcement of such provision against him would not be in the interest of the national defense. In determining whether unreasonable hardship exists, the National Production Authority will consider, among other things:

(1) The extent of the work done by the applicant incident to the proposed construction.

(2) Whether the building, structure, or project requires reconstruction as a result of a fire, flood, storm, disaster, act of God, or act of war.

(3) Whether a building, structure, or project of the applicant has been seized by legal action under eminent domain, or condemned by responsible governmental authorities; and the applicant requests permission to replace such facility.

(b) Each request shall be made on NPA Form NPAF-24, copies of which are available at all field offices of the Department of Commerce, and should be addressed to the field office of the Department of Commerce in the region of the site of the proposed construction.

**Sec. 12. Communications.** All communications concerning this order shall be addressed to the Field Offices of the Department of Commerce, Ref: NPA, M-4.

**Sec. 13. Reports.** Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act (Pub. Law 831, 77th Cong., 5 U. S. C. 139-139F).

**Sec. 14. Violations.** Any person who wilfully violates any provisions of this order, or any other order or regulation of the National Production Authority, or wilfully conceals a material fact, or furnishes false information in the course of operation under this order, is guilty of a crime, and upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against such person to suspend any authority to commence or complete construction or such other assistance as may be rendered pursuant to this order.

**Sec. 15. List A—Prohibited construction.** All buildings, structures, or projects to be used for, or in connection with, any recreational, amusement, or entertainment purpose, whether public or private (unless authorized pursuant to section 6 of this order), including, but not limited to:

- Amphitheater.
- Amusement arcade.
- Amusement device built into place on the site such as a roller coaster, merry-go-round, or similar device or kind. This shall not include demountable or portable equipment.
- Amusement park.
- Arena.
- Assembly hall used primarily for recreation or amusement.
- Athletic field house.
- Band stand.
- Bars and buildings or structures where the predominant business carried out therein or in connection therewith shall be the sale for consumption on the premises of alcoholic liquors.
- Baseball park.
- Bath house.
- Billiard or pool parlor.
- Bleachers and similar seating arrangements when they are built in place as a permanent part of the building, structure or project.
- Boardwalk used primarily for recreation or amusement.
- Boat or canoe club.
- Bowling alley establishment.
- Cabana.
- Camp (except for public or social welfare).
- Carnival.
- Club building except for social welfare purposes.
- Country club.
- Dance hall.
- Dance studio.
- Dude ranch used primarily for recreation or amusement.
- Exposition or exhibition building or structure for recreational, amusement or entertainment displays or purposes.
- Flood lighting (including piers, poles, towers, framework or foundation with fixed equipment) in connection with any recreational, amusement, or entertainment purpose.
- Gambling establishment.
- Golf course.
- Golf club.
- Golf driving range.
- Grandstand.
- Gymnasium (except where it is a part of an educational institution and is to be used primarily for instructional purposes in physical education and training).
- Lodge hall.
- Music shell.
- Night club.
- Pier used primarily for recreation or amusement.
- Race track, any kind.
- Riding academy.
- Rodeo.
- Shooting gallery.
- Skating rink.
- Ski lodge.
- Slot machine establishment.



Stadium.  
Swimming pool.  
Theater, any kind (including drive-in theater).  
Yacht basin or marine railway primarily for the use of pleasure craft.

SEC. 16. *List B—Construction where NPA authorization is required.* Any building, structure or project to be used for, or in connection with, any of the following specified purposes:

Bank, credit institution, or brokerage establishment.

Community or neighborhood building.

Furnishing of personal services (e. g., barber shop, beauty shop, undertaking and mortuary establishment, cemetery building, mausoleum, crematory, garage, service station, shoe repair shop, laundry, dry cleaning establishment, tailor shop).

Hotel, motel, motor court, tourist camp, trailer camp.

Loft building.

Office building.

Outdoor advertising sign.

Printing or duplicating establishment.

Restaurant.

Storage, distribution, display or sale of consumer goods (for example, retail store, shopping center, wholesale establishment, gasoline filling station, drugstore, soda fountain, florist shop, greenhouse), except wholesale food establishment, wholesale supply facility for fuel oil, gasoline or coal, gas distribution system, pipeline.

Storage warehouse for personal effects.

Tobacco auction warehouse.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order, as amended, shall take effect April 16, 1951.

NATIONAL PRODUCTION  
AUTHORITY,  
MANLY FLEISCHMANN,  
Administrator.

[F. R. Doc. 51-4561; Filed, Apr. 16, 1951;  
11:15 a. m.]

[NPA Order M-56]

#### M-56—WATERFOWL FEATHERS

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Sec.

1. What this order does.
2. Definitions.
3. Restrictions on processing of waterfowl feathers.
4. Restrictions on use of waterfowl feathers.
5. Restrictions on sale and delivery of processed waterfowl feathers.
6. Disposition of rejected processed waterfowl feathers.
7. Prohibited deliveries.
8. Applicability of NPA Reg. 4 to waterfowl feathers.
9. Exemptions.
10. Adjustments and exceptions.
11. Records.
12. Audit and inspection.
13. Reports.
14. Communications.
15. Violations.

AUTHORITY: Sections 1 to 15 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order applies particularly to dealers, processors, and manufacturers of all waterfowl feathers and down. Its purpose is to conserve waterfowl feathers and down in order to meet military requirements and to best serve the interests of the national defense. It places restrictions upon the sale, delivery, and processing of waterfowl feathers and down. It also supplements NPA Reg. 2 but only those provisions of Reg. 2 which are inconsistent with this order are superseded, and all other provisions of Reg. 2 continue to apply to the waterfowl feathers industry. This order also modifies and supersedes NPA Reg. 4.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons and includes any agency of the United States or any other government.

(b) "Waterfowl feathers" means goose or duck feathers and down, separated from the fowl, domestic and imported, new and used, regardless of length, except flight feathers having no natural curl.

(c) "New waterfowl feathers" means waterfowl feathers which have not been previously incorporated into any product.

(d) "Used waterfowl feathers" means waterfowl feathers which have been previously incorporated into any product.

(e) "Processor" means any person who engages in the business of washing, steaming, blowing, or otherwise preparing waterfowl feathers for use, for his own account or for others.

(f) "Processed," with respect to waterfowl feathers, means any such feathers which have been washed, steamed, blown, or otherwise prepared for use.

(g) "NPA" means National Production Authority.

SEC. 3. *Restrictions on processing of waterfowl feathers.* No person shall process any waterfowl feathers except in accordance with the then existing specifications of the Department of Defense, the United States Coast Guard, or the General Services Administration, or except for the purpose of filling any DO rated order received by him.

SEC. 4. *Restrictions on use of waterfowl feathers.* (a) No person shall incorporate into any product or use in manufacture any waterfowl feathers, except to fill DO rated orders.

(b) No person other than a processor shall separate down from any waterfowl feathers.

(c) No person shall mix new waterfowl feathers with used waterfowl feathers, or mix any such feathers with chicken or turkey feathers, except in accordance with the then existing specifications of the Department of Defense, the United States Coast Guard, or the General Services Administration, or except for the purpose of filling any DO rated order received by him.

SEC. 5. *Restrictions on sale and delivery of processed waterfowl feathers.* No person shall sell, deliver, or accept delivery of any processed waterfowl feathers except to fill DO rated orders received by him.

SEC. 6. *Disposition of rejected processed waterfowl feathers.* No person shall dispose of processed waterfowl feathers which have been rejected as unsatisfactory by any person to whom delivery was tendered except as follows:

(a) He may process such feathers in accordance with specifications of the Department of Defense, the United States Coast Guard, or the General Services Administration, or for the purpose of filling any DO rated order received by him, and may dispose of such reprocessed feathers in accordance with the provisions of this order; or

(b) He may deliver such feathers to any other purchaser as permitted by this order; or

(c) He may dispose of such feathers in accordance with specific written authorization by NPA.

SEC. 7. *Prohibited deliveries.* No person shall accept an order for, sell, deliver, or cause to be delivered waterfowl feathers which he knows or has reason to believe will be accepted, held, or used in violation of this order.

SEC. 8. *Applicability of NPA Reg. 4 to waterfowl feathers.* Notwithstanding the provisions of NPA Reg. 4, the rating symbol DO-97 may not be applied or extended to any order or contract for waterfowl feathers.

SEC. 9. *Exemptions.* (a) The provisions of sections 3 and 4 of this order shall not apply to waterfowl feathers for personal use by the owner thereof.

(b) The provisions of section 5 of this order shall not apply to deliveries to the General Services Administration for stockpile.

SEC. 10. *Adjustments and exceptions.* Any person affected by any provision of this order may file with NPA a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interests of national defense or in the public interest. In considering requests for adjustment which claim that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each such request shall be in writing and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 11. *Records.* Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met.



This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

**SEC. 12. Audit and inspection.** All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

**SEC. 13. Reports.** Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act (Pub. Law 831, 77th Cong., 5 U. S. C. 139-139F).

**SEC. 14. Communications.** All communications and reports concerning this order shall be addressed to National Production Authority, Washington 25, D. C. Ref.: M-56.

**SEC. 15. Violations.** Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect on April 16, 1951.

NATIONAL PRODUCTION  
AUTHORITY,  
MANLY FLEISCHMANN,  
Administrator.

[F. R. Doc. 51-4562; Filed, Apr. 16, 1951;  
11:15 a. m.]

[NPA Order M-57]

#### M-57—VEGETABLE TANNING MATERIAL

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950. In the formulation of this order, consultation with industry representatives has been rendered impracticable due to the necessity for immediate action.

Sec.

1. What this order does.
2. Definitions.
3. Restrictions on use of vegetable tanning material.
4. Restrictions on use of chestnut extract in blends for resale.
5. Adjustments and exceptions.
6. Records.
7. Audit and inspection.

Sec.

8. Reports.
9. Communications.
10. Violations.

**AUTHORITY:** Sections 1 to 10 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

**SECTION 1. What this order does.** The purpose of this order is to conserve vegetable tanning materials so as best to serve the interests of national defense and essential civilian requirements. It prohibits the use by a processor of any vegetable tanning material for any purpose other than those provided for in this order. It also prohibits a supplier from increasing the proportion of chestnut extract in any blend for resale above the proportion which he used during the year 1950.

**SEC. 2. Definitions.** As used in this order: (a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons and includes any agency of the United States or any other government.

(b) "Vegetable tanning material" means any of the following materials and extracts or any blend or combination thereof:

#### Domestic raw materials and extracts:

California oak bark.  
Chestnut oak bark.  
Chestnut wood.  
Hemlock bark.  
Sumac.

#### Foreign raw materials and extracts:

Algarobilla (pods).  
Divi-divi (pods).  
Gambier.  
Hemlock bark.  
Mangrove bark.  
Myrobelans (nuts).  
Quebracho wood.  
Sumac.  
Tara pods.  
Tara powder  
Urunday.  
Valonia boards and cups.  
Wattle or mimosa bark.

(c) "Processor" means any person who consumed in any calendar month commencing with January 1950, to and including March 1951, or who consumes in April 1951, or in any calendar month thereafter, more than 500 tan units of chestnut extract or more than 2,500 tan units of vegetable tanning material (including chestnut extract), for any purpose.

(d) "Supplier" means any person engaged in the business of producing vegetable tanning material and any person who purchases such material for resale with or without alteration or blending.

(e) "NPA" means National Production Authority.

(f) "Tan unit" means 1 pound of 100 percent tannin as determined by the analytical methods of the American Leather Chemists Association.

**SEC. 3. Restrictions on use of vegetable tanning material.** (a) Except as provided in paragraph (b) of this section, and unless specifically directed by NPA, no processor shall use any vegetable tan-

ning material for any purpose other than the following:

- (1) The processing of leather.
- (2) The manufacture of pharmaceutical products.
- (3) The manufacture of tannic, gallic, or pyrogalllic acid.
- (4) The manufacture of water treatment materials.

(b) No processor shall use in the calendar quarter commencing April 1, 1951, or in any calendar quarter thereafter, in the drilling of oil or gas wells, quebracho in excess of 60 percent by weight of his average quarterly use of quebracho in such drilling during the 6-month period ending June 30, 1950: *Provided however*, That this paragraph shall not restrict the use, in the drilling of oil and gas wells, of any quebracho held by him as inventory on the effective date of this order, or which is in transit to him pursuant to any purchase order for quebracho placed by him prior to the effective date of this order.

**SEC. 4. Restrictions on use of chestnut extract in blends for resale.** No supplier shall use a greater proportion of chestnut extract in any blend for resale than the average proportion of chestnut extract he used in all blends for resale during the 6-month period ending June 30, 1950.

**SEC. 5. Adjustments and exceptions.** Any person affected by any provision of this order may file with NPA a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry or that its enforcement against him would not be in the interests of national defense or in the public interest. In considering requests for adjustment which claim that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each such request shall be in writing and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

**SEC. 6. Records.** Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

**SEC. 7. Audit and inspection.** All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.



**Sec. 8. Reports.** Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (Pub. Law 831, 77th Cong., 5 U. S. C. 139-139F).

**Sec. 9. Communications.** All communications and reports concerning this order shall be addressed to National Production Authority, Washington 25, D. C., Ref: M-57.

**Sec. 10. Violations.** Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

**NOTE:** All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect on April 16, 1951.

NATIONAL PRODUCTION  
AUTHORITY,  
MANLY FLEISCHMANN,  
Administrator.

[F. R. Doc. 51-4563; Filed, Apr. 16, 1951;  
11:15 a. m.]

[NPA Regulation 3 as Amended Apr. 16, 1951]

### REG. 3—OPERATIONS OF THE PRIORITIES SYSTEMS BETWEEN CANADA AND THE UNITED STATES

This regulation as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950 and to implement the provisions of The Statement of Principles for Economic Cooperation issued by the Governments of the United States and Canada, dated October 26, 1950.

**Sec.**

1. What this regulation does.
2. Definitions.
3. Rated orders from the United States under the United States defense program placed with Canadian suppliers.
4. Rated orders under the Canadian Defence Program, placed with United States suppliers.
5. Certifications by Canadian purchasers to suppliers in the United States.
6. Maintenance, repair, and operating supplies, and industrial expansion and capital equipment assistance to persons located in Canada.
7. Relation to other regulations and orders of NPA.
8. Communications.
9. Violations.

**AUTHORITY:** Sections 1 to 9 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

**SECTION 1. What this regulation does.** In order that the control, priorities, and allocations systems of the two countries be comparable in effect, and in order to coordinate the defense economies of the two countries, this regulation describes how and to what extent contracts or orders in support of the United States defense program or the Canadian Defence Program may have the benefits of the priorities system of the United States. Instructions have been issued by the Canadian Government under appropriate Canadian legislation to provide for priority assistance in obtaining essential Canadian materials and services for the United States defense program.

**Sec. 2. Definitions.** For the purposes of this regulation: (a) "Person" means any individual, partnership, corporation, association, or any other organized group, and includes specifically Canadian distributors and importers who have received orders for Canadian Defence and other approved purposes.

(b) "Maintenance, repair, and operating supplies" means MRO as defined in NPA Reg. 4.

(c) "Minor capital additions" means minor capital additions as defined in NPA Reg. 4.

**Sec. 3. Rated orders from the United States under the United States defense program placed with Canadian suppliers.**

(a) If a rated order from a person in the United States, under NPA Reg. 2, is placed with a supplier located in Canada, either directly or through extension, the Canadian supplier may extend the rating received by him in order to acquire materials in the United States, to the extent permitted by the provisions of section 5 of NPA Reg. 2, and subject to the restrictions of section 6, NPA Reg. 2.

(b) A person located in Canada extending the rating to a supplier located in the United States, pursuant to this section, shall mark on his purchase order the prefix DO and the two-digit designation appearing on the rated order received by him, and shall affix thereto the additional statement to read as follows:

Certified under NPA Reg. 3.

Such certification shall be signed by him in the manner prescribed in section 8, NPA Reg. 2.

(c) If a supplier located in Canada requires priority assistance to obtain materials of Canadian origin to fill a rated order under the United States defense program, received by him from the United States, application should be made by him to the Priorities Division, Department of Defence Production, Ottawa, Canada, for appropriate action.

**Sec. 4. Rated orders under the Canadian Defence Program, placed with United States suppliers.** (a) Any Canadian Government Department or Corporation charged with procurement under the Canadian Defence Program, or other approved purpose calling for delivery of materials to such persons located in Canada by persons located in the United States, may make application through the Priorities Division, Department of Defence Production, Ottawa, Canada, to

the National Production Authority, Washington 25, D. C., Ref: NPA Reg. 3, for authority to apply to such orders the DO ratings authorized by NPA Reg. 2. All orders to which DO ratings shall be applied under the provisions of this regulation, shall have equal standing to the ratings applied to United States orders under NPA Reg. 2.

(b) Unless NPA shall otherwise provide, the symbol "DO-47" shall be used for all such rated Canadian orders referred to in paragraph (a) of this section which are placed in the United States pursuant to this section. Such orders shall bear a statement to read as follows:

Certified under NPA Reg. 3

This certification shall be signed in the manner prescribed in section 8 of NPA Reg. 2.

**Sec. 5. Certifications by Canadian purchasers to suppliers in the United States.** Certifications under sections 3 (b) and 4 (b) of this regulation constitute a representation to the supplier in the United States, to the National Production Authority, and to the Canadian Director of Priorities, Department of Defence Production, that the person signing such certification is either extending a rating received by him from a purchaser in the United States under the provisions of NPA Reg. 2, or is extending a rating specifically authorized by the National Production Authority under this regulation, which rating was applied for the purposes authorized.

**Sec. 6. Maintenance, repair, and operating supplies, and industrial expansion and capital equipment assistance to persons located in Canada—**(a) MRO assistance. Any person located in Canada who, without priorities assistance, cannot obtain MRO and minor capital additions from United States sources, and who requires a DO rating to obtain them from a United States supplier, may make application through the Priorities Division, Department of Defence Production, Ottawa, Canada, to National Production Authority, Washington 25, D. C., for a quota and the right to apply a rating to such requirements under arrangements made by the Department of Defence Production and NPA giving a comparable effect to the provisions of this regulation in respect to Canadian requirements. No such authorization will be issued by NPA unless the application therefor is approved by the said Priorities Division. Unless NPA shall otherwise provide, the symbol "DO-47" shall be used on all orders placed pursuant to this section.

(b) Industrial expansion and capital equipment assistance. Under arrangements made with the Canadian Department of Defence Production, if a person located in Canada receives either a DO rated order from a person located in the United States, or an order for Canadian Defence or other approved purpose, and cannot fill such order without assistance in obtaining materials from the United States for plant improvement, expansion, or construction or obtaining machine tools or other items which he will carry as capital equipment, such Canadian supplier may apply to the Priorities



ties Division, Department of Defence Production, Ottawa, Canada, for priorities assistance. Such request for assistance will be examined by the Priorities Division, and if approved by it, may be forwarded to National Production Authority, Washington 25, D. C., Ref: NPA Reg. 3, for action. Ratings for items included in this category may be applied only when so approved by NPA.

**Sec. 7. Relation to other regulations and orders of NPA.** All of the provisions of NPA Reg. 2 apply to all persons affected by the provisions of this regulation except to the extent that such provisions are inconsistent, in which event the provisions of this regulation prevail.

**Sec. 8. Communications.** All communications from persons located in Canada concerning this regulation shall be addressed to the Priorities Division, Department of Defence Production, Ottawa, Canada, and, where necessary, forwarded by that Division to the National Production Authority, Washington 25, D. C., Ref: NPA Reg. 3.

**Sec. 9. Violations.** Certain provisions of this regulation may be subject to the penalties pursuant to regulations and orders issued under the Canadian Defence Production Act and the Canadian Emergency Powers Act.

This regulation as amended shall take effect on April 16, 1951.

NATIONAL PRODUCTION  
AUTHORITY,  
MANLY FLEISCHMANN,  
Administrator.

[F. R. Doc. 51-4564; Filed, Apr. 16, 1951;  
11:15 a. m.]

[NPA Reg. 4, as Amended Apr. 16, 1951]

#### REG. 4—MAINTENANCE, REPAIR, AND OPERATING SUPPLIES AND MINOR CAPITAL ADDITIONS

This regulation as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950. In the formulation of the regulation, before amendment, there was consultation with a number of industry representatives including trade association representatives, but it was found impracticable to consult with all affected industries because the regulation applies to all trades and industries. In the formulation of the regulation as amended, however, such consultation has been rendered impracticable by the necessity for immediate action.

NPA Reg. 4 as amended reads as follows:

Sec.

1. What this regulation does.
2. Definitions.
3. DO rating assigned.
4. Quarterly MRO quotas.
5. Quantity restrictions.
6. Materials obtained for another's benefit.
7. Use of material.
8. Relation to other regulations.
9. Records and reports.
10. Adjustments and exceptions.
11. Communications.
12. Violations.

**AUTHORITY:** Sections 1 to 12 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

**SECTION 1. What this regulation does.** This regulation provides a uniform procedure by which any business enterprise, Government agency, or public or private institution may use a DO rating (identified by the symbol "DO-97") to obtain limited quantities of maintenance, repair, and operating supplies (hereinafter collectively referred to as "MRO") as well as minor capital additions. The regulation does not limit the quantity of MRO or capital additions that a person may obtain without using this DO rating, except that, if he makes any use of the rating in any particular calendar quarter, his total acquisition of MRO (rated and unrated) for such quarter becomes subject to the limitations of the regulation. The rating may not be used to secure materials for personal or household use.

**SEC. 2. Definitions.** For purposes of this regulation:

(a) "Person" means any individual, partnership, corporation, association, or any other organized group and includes specifically any business enterprise, Government agency, or institution. Where such a "person" has more than one department, branch, plant, or other unit which maintains separate MRO records, each shall be treated as a separate "person" hereunder.

(b) "Business enterprise" means lawful activity conducted for profit in the United States (including its territories and possessions).

(c) "Government agency" means the United States, its territories and possessions, any of the 48 States or the District of Columbia, any political subdivision thereof, and any agency of any of the foregoing which is not a business enterprise.

(d) "Institution" means any lawful organization, public or private, within the United States (including its territories and possessions) which is neither a business enterprise nor a Government agency, and includes, more specifically, institutions such as schools, libraries, hospitals, churches, clubs, and welfare establishments.

(e) "Maintenance" means the minimum upkeep necessary to continue any plant, facility, or equipment in sound working condition, and "repair" means the restoration of any plant, facility, or equipment to sound working condition when it has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts, or the like. Neither "maintenance" nor "repair" includes the improvement of any plant, facility, or equipment by replacing material which is in sound working condition with material of a new or different kind, quality, or design.

(f) "Operating supplies" means, in the case of a business enterprise, any materials which are normally carried as operating supplies according to established accounting practice, and also includes items (such as hand tools) purchased by an employer for sale to his

employees for use only in his business and under circumstances where they would constitute operating supplies according to established accounting practice if issued to his employees without charge. In the case of a Government agency or an institution, however, "operating supplies" means any materials which are essential for conducting any activity or rendering any service, provided such materials do not constitute capital equipment according to established accounting practice but are consumed in the course of operation. Materials incorporated in a product ordinarily may not be treated by the producer as operating supplies but may be so treated where they are normally chargeable as an operating expense according to established accounting practice.

(g) "Minor capital additions" means any improvement or addition carried as capital according to established accounting practice where the total cost of materials used does not exceed \$750 for any one complete capital addition. The term "one complete capital addition" includes all items entering into the improvement or addition as part of a single project or plan whether or not installed or completed at the same time, and the cost of all such items is to be included in figuring the total cost of the addition regardless of whether they are acquired with or without the use of a rating. No capital addition shall be subdivided for the purpose of bringing it or any part of it within the foregoing definitions. Where the capital addition requires construction, authorization to construct must be obtained wherever so required by any applicable order of the NPA.

(h) "MRO" means maintenance, repair, and operating supplies but does not include minor capital additions. The latter term is specifically used in this regulation wherever the meaning so requires. Products used for "MRO" (or materials required for incorporation in such products) shall not be deemed "MRO" as to the producer of such products (except as provided in paragraph (f) of this section) even though he sells them for use by others as "MRO." However, when he receives rated orders for such products, he may extend the rating to get materials to be incorporated in the products. Materials or products sold by a distributor thereof for use by others as "MRO" shall not be deemed "MRO" as to such distributor but, when he receives rated orders for them, he may extend the rating to get them.

**SEC. 3. DO rating assigned.** (a) The NPA hereby assigns to every business enterprise, Government agency, and institution the right to apply a DO rating to obtain MRO and minor capital additions except as provided in paragraph (b) of this section and subject to the quantity restrictions specified in section 5 of this regulation. Such DO rating shall be applied by placing on the order for MRO or minor capital additions, or on a separate piece of paper attached to the order or clearly identifying it, the symbol "DO-97" together with the words "Certified under NPA Reg. 4." Such certification shall be signed as prescribed in section 8 of NPA Reg. 2. This certification shall constitute a repre-



sentation to the supplier and to the NPA that the person making it is authorized under the provisions of this regulation to use the rating to obtain the materials covered by the order.

(b) The DO-97 rating shall not be applied or extended to obtain any of the materials listed in Table I at the end of this regulation. However, expenditures for all such materials, if MRO, may be included in computing the quotas referred to in section 4 of this regulation and must be included in making charges against quotas under section 5 of this regulation.

(c) A DO-97 rating which prior to April 16, 1951, was applied or extended to any contract or purchase order for any material listed in Table I, is hereby cancelled and such rating shall no longer have any effect whatever. Nothing herein shall be construed to mean that any such contract or purchase order itself is cancelled or otherwise affected by this regulation.

**SEC. 4. Quarterly MRO quotas—(a) General.** Every person making any use of the DO-97 rating herein assigned must establish his quarterly MRO quotas in accordance with this section. In figuring such quotas, he may include all expenditures for MRO (including MRO materials listed in Table I) in the applicable 1950 base periods, but shall not include expenditures for minor capital additions.

(b) **Standard quota.** A person's standard quarterly MRO quota, to be used unless he elects to use the seasonal quota permitted by paragraph (c) of this section, is one-fourth of the amount he spent for MRO in the calendar year 1950 (or, if he operated on a fiscal year basis, in his fiscal year ending nearest to December 31, 1950). An election to use either the standard quota or the seasonal quota may not afterward be changed without prior written authorization of the NPA.

(c) **Seasonal quota.** A person may, if he so elects, take as his quarterly MRO quotas the amounts he spent for MRO in the corresponding quarters of the calendar year 1950 (or, if he operated on a fiscal year basis, in the corresponding quarters of his fiscal year ending nearest to December 31, 1950).

(d) **Quotas where 1950 base inapplicable.** A person not in operation throughout the year 1950 (calendar or fiscal) shall establish and report his quarterly MRO quotas as follows:

(1) **Partial operation in 1950.** A person who was in operation during a part of the year 1950 (calendar or fiscal) shall compute the amount he would have spent for MRO in that year, had he continued throughout the year the same rate of expenditure for MRO as during that part of the year when he was in operation, making such reasonable corrections as necessary to compensate for seasonal or other exceptional characteristics of the period of actual operation, so that the yearly amount so computed will be fairly representative of the year as a whole. His standard quarterly MRO quota shall be one-fourth of the amount so computed. If he elects to use seasonal quotas, he may

apportion the amount so computed into four seasonal quarterly MRO quotas, in accordance with the seasonal demands of the activity in which he is engaged.

(2) **No operation in 1950.** If a person was not in operation in any part of the year 1950 (calendar or fiscal), his quarterly MRO quota (standard or seasonal) shall be the minimum amount of MRO which he determines to be reasonably necessary for his operation, but not in excess of \$5,000 per quarter. If such quota is insufficient, an application for an increased quota may be made as provided in section 10 of this regulation.

(3) **Notice to NPA.** Any person who establishes a quarterly MRO quota in excess of \$1,000 under the provisions of subparagraphs (1) or (2) of this paragraph must, within 30 days after his first use of a DO-97 rating pursuant thereto, notify the NPA in writing of the quota he has established, the base period he has used, the method by which he has figured the quota, and any corrections he has made for seasonal or other factors.

(e) **Future use of increased quotas.** If a person's quarterly MRO quota is increased by specific authorization of the NPA, he may continue to operate with the increased quota as his standard quota unless the increase is granted on a temporary or seasonal basis or is otherwise restricted by the terms of the authorization. An increased quarterly MRO quota granted as a seasonal quota may be used only in the corresponding quarter of subsequent years.

(f) **Increases not retroactive.** An increase in quota will not be granted for any period prior to the filing of the application and will not have the effect of retroactively authorizing receipt of MRO or minor capital additions previously received in violation of this regulation.

**SEC. 5. Quantity restrictions. (a) Charges against quota.** Every person who, during any calendar quarter, makes any use of the DO-97 rating assigned by this regulation, shall charge against his MRO quota for that quarter:

(1) All MRO material (including MRO materials listed in Table I) ordered for delivery during the quarter, whether or not obtained by use of the DO-97 rating, and

(2) All material for minor capital additions ordered for delivery during the quarter, if (but only if) obtained by use of the DO-97 rating.

(If, instead of computing his charges against his quarterly MRO quota on the basis of orders calling for delivery during a quarter, a person prefers to compute such charges on the basis of actual receipts of MRO during the quarter, he may do so. However, he cannot use one method for a part of his MRO and the other method for the remainder in any one quarter.)

(b) **Excess of quota prohibited.** No person shall use the DO-97 rating assigned by this regulation to get anything except material needed for MRO or minor capital additions nor shall any person who, during any calendar quarter, makes any use of the rating so assigned, order for delivery (or, if he is

operating on the basis of receipts, he shall not receive) during such quarter a quantity of material chargeable against his quarterly MRO quota which exceeds the amount of such quota (nor, during the first month of such quarter, a quantity of such material exceeding 40 percent of such quarterly quota): *Provided, however,* That the quantity restrictions of this section shall not apply in any calendar quarter to any person whose aggregate charges against his MRO quota for that quarter do not exceed \$1,000.

**SEC. 6. Materials obtained for another's benefit—(a) Materials supplied by service trades.** Any business enterprise (such as a service repair shop) engaged in doing maintenance or repair work or installing minor capital additions for any other person (as defined in section 2 of this regulation) may use the DO-97 rating to obtain material therefor to the same extent that such person would be entitled to use it if he were doing the work himself. The cost of materials so obtained shall be charged to the MRO quota of the person for whom the work is done.

(b) **Materials for operators under government franchise.** Any person (such as the operator of a toll bridge or a contract garbage collector) who, pursuant to a franchise from or contract with any Government agency, performs any service for such agency, may use the DO-97 rating to obtain MRO or minor capital additions to the same extent that such agency would be entitled to use it if the agency performed such service itself. Such service shall, for purposes of computing the quantity restrictions under section 5 of this regulation, be treated as if performed by a separate unit of such agency, and the cost of the materials so obtained shall be charged against the quota of such unit.

(c) A person who is obligated to maintain, repair, or operate any plant, facilities, or equipment, under the terms of any lease or other agreement for the use of such property by another person, may use the DO-97 rating to obtain materials needed for such purposes. Expenditures for such materials shall be charged to the MRO quota of the person thus using the DO rating except that, if his purchase is made on a reimbursable basis for the account of the person using the property, the latter's MRO quota shall be charged.

**SEC. 7. Use of material.** If a person has acquired material for MRO or minor capital additions by use of the DO-97 rating and then finds that he has another use for it, he may use the material for such other purpose if he could have used any DO rating to acquire the material for such other purpose. However, if he uses the material for another rated purpose, he may not replace it in inventory by the use of the DO-97 rating assigned by this regulation. He may replace such material in inventory only by using the DO rating under which he might have obtained the material for the purpose to which it was devoted. If he uses material acquired under this regulation for another rated use, his records must be adequate to show that his pur-



chases of material are substantially proportionate to his authorized rated uses.

**SEC. 8. Relation to other regulations.** (a) *Rules governing use of rating.* This regulation supplements NPA Reg. 2, which sets forth the basic rules of the priorities system, and the provisions of that regulation govern the use of the DO-97 rating herein assigned.

(b) *Inventory limitations.* Nothing in this regulation shall be deemed to authorize any person to order or receive any material if acceptance thereof would increase his inventory above a practicable working minimum as provided in NPA Reg. 1 or the limit fixed in any other applicable regulation or order of the NPA.

(c) *Delegations to Government agencies.* This regulation does not revoke or prevent the use of any authority delegated by NPA to any other Government agency whereby such agency may use ratings other than DO-97 for direct procurement of its own requirements of MRO or minor capital additions.

(d) *Other regulations and orders.* Nothing in the regulation shall be construed to relieve any person from the obligation of complying with such limitations on acquisition or use of materials or such other provisions as may be contained in any applicable regulation or order of the NPA or with any order of any other competent authority.

**SEC. 9. Records and reports.** (a) *Records to be kept.* Each person who makes any use of the rating assigned by this regulation shall make and preserve, for so long as this or any successor regulation remains in effect and for 2 years thereafter, accurate and complete records showing what his quarterly MRO quotas are, how he computed them, the factual justification for them and for corrections or revisions thereof, any elections made as to the use of seasonal quotas, methods of figuring quotas and charges against them, or other options exercised, all materials ordered or received for use as MRO or minor capital additions whether rated or not, and all other relevant data, in sufficient detail to permit an audit that determines for each transaction that the provisions of this regulation have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records disclose the above data and supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) *Inspection and audit.* All records required by this regulation shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the NPA.

(c) *Other records and reports.* Persons subject to this regulation shall make such further records and submit such further reports to the NPA as it shall require, subject to the terms of the Federal Reports Act of 1942. (Pub. Law 831, 77th Cong., 5 U. S. C. 139-139F.)

**SEC. 10. Adjustments and exceptions.** Any person affected by any provision of

this regulation may file a request for adjustment or exception upon the ground that the MRO quotas provided in section 4 of this regulation are insufficient for his requirements, that a specified provision otherwise works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this regulation, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be submitted in writing and in triplicate, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor. More particularly, where the relief sought is an increase of MRO quota, the applicant shall fully describe the nature of his business or other activity, indicating any seasonal or other unusual features, products made or distributed, or services or other activities performed, the quarterly volume of such business or other activity since January 1, 1950, etc.; state the amount spent for MRO in each quarter since January 1, 1950; specify the amount of increase in quota requested; and set forth in detail the facts and circumstances allegedly justifying such an increase.

**SEC. 11. Communications.** All communications concerning this regulation shall be addressed to the National Production Authority, Washington 25, D. C., Ref.: Reg. 4.

**SEC. 12. Violations.** Any person who willfully violates any provision of this regulation or who willfully conceals a material fact or furnishes false information in the course of operation under this regulation is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

**NOTE:** All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation as amended shall take effect on April 16, 1951.

NATIONAL PRODUCTION  
AUTHORITY,  
MANLY FLEISCHMANN,  
Administrator.

#### TABLE I

Materials to which a DO-97 rating may not be applied or extended under NPA Reg. 4:

1. All basic, organic or inorganic chemicals, their intermediates and derivatives other than compounded end-products not customarily sold as chemicals.
2. Items appearing in List A of NPA Order M-47, as the same may be amended from time to time.

3. Nylon fibers and yarns.
4. Packaging materials and containers.
5. Paint, lacquer, and varnish.
6. Paper and paper products.
7. Paperboard and paperboard products.
8. Photographic film.
9. Rails, tie plates, track spikes, splice bars, rail joints, frogs, and switches.
10. Rubber tires and tubes.

[F. R. Doc. 51-4565; Filed, Apr. 16, 1951; 11:15 a. m.]

## Chapter XII—Defense Minerals Administration, Department of the Interior

[Mineral Order 7]

### MO-7—SERIALIZATION OF MINES, SMELTERS, AND MINERAL PROCESSING PLANTS

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by the Defense Production Act of 1950. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

#### Sec.

1. What this order does.
2. Definitions.
3. Applicability of order.
4. Serialization of mines, smelters and mineral processing plants.
5. Application by foreign producers.
6. Records and reports.
7. Adjustments and exceptions.
8. Violations.

**AUTHORITY:** Sections 1 to 8 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61, 3 CFR, 1950 Supp.

**SECTION 1. What this order does.** The purpose of this order is to provide, by serialization of mines (other than petroleum, solid fuels and natural gas), non-ferrous smelters, and mineral processing plants, the requisite information to enable the Defense Minerals Administration adequately to provide priority and allocation assistance under its programs relating to the maintenance and acquisition of facilities, machinery, equipment, and operating supplies by the mining industry.

**SEC. 2. Definitions.** For the purposes of this order:

(a) "Person" means any individual, corporation, partnership, or association, and includes any agency of the United States, or any other government or citizen thereof.

(b) "Producer" means any person operating a mine (other than petroleum, solid fuels and natural gas), a non-ferrous smelter, or mineral processing plant.

(c) "Mine" means an operation (whether underground, open-pit, quarry or dredging), conducted for the primary purpose of extracting minerals (excepting solid fuels, petroleum and natural gas), and includes prospecting enterprises for the discovery, exploration or development of new or additional mining projects.



(d) "Smelter" means a mill producing non-ferrous metals by smelting or refining.

(e) "Mineral processing plant" means a plant engaged in the beneficiation or concentration of ores.

**Sec. 3. Applicability of order.** This order shall apply to producers in the United States, its Territories and possessions and to those producers in foreign countries who apply for assistance and whom the Economic Cooperation Administration, Office of International Trade, or the Canadian Division of the National Production Authority may represent as eligible for the programs of the Defense Minerals Administration.

**Sec. 4. Serialization of mines, smelters and mineral processing plants.** Priority and allocation assistance under the programs of the Defense Minerals Administration as set forth in section 1 of this order, will be given only to producers who have been granted serial numbers as provided in this order. Each producer, except producers subject to the provisions of section 5 of this order, shall file an application for serialization with the Defense Minerals Administration, Department of the Interior, Washington 25, D. C., on Form MF-100, not later than June 1, 1951. Applications shall be approved or rejected on the basis of the information disclosed in Form MF-100.

**Sec. 5. Application by foreign producers.** Foreign producers seeking assistance as set forth in section 1 of this order shall apply for serialization with the Defense Minerals Administration on Form MF-100 through the facilities of the Economic Cooperation Administration, or the Office of International Trade; in the case of Canadian producers, applications shall be filed through the facilities of the Canadian Division of the National Production Authority.

**Sec. 6. Records and reports.** Any producer granted serialization under the provisions of this order shall keep such records and submit such reports as the Defense Minerals Administration shall require, subject to the terms of the Federal Reports Act (5 U. S. C. 139-139F).

**Sec. 7. Adjustments and exceptions.** Any producer affected by any provision of this order or by any action taken thereunder may file a request for adjustment or exception upon the ground that such provision or action works an undue or exceptional hardship upon him not suffered generally by others in the same industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In considering requests for adjustment claiming that the public interest is prejudiced by the application or any provision of this order or by any action taken thereunder, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, in duplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

**Sec. 8. Violations.** Any person who willfully violates any provision of this order or willfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

**NOTE:** All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act.

This order shall take effect upon publication in the FEDERAL REGISTER.

JAMES BOYD,  
Administrator,  
Defense Minerals Administration.

[F. R. Doc. 51-4558; Filed, Apr. 16, 1951;  
10:24 a. m.]

## Chapter XV—Federal Reserve System

[Regulation X]

### REG. X—REAL ESTATE CREDIT

#### CASUALTIES

1. Effective April 16, 1951, paragraph (e) of section 5 of Regulation X is amended to read as follows:

(e) *Casualties.* The prohibitions of paragraphs (a) and (b) of section 4 of this regulation shall not apply to any extension of real estate construction credit as to which the Registrant accepts in good faith a signed Statement of the Borrower certifying that the proceeds thereof are to be used solely for the replacement, reconstruction or repair of a residence, multi-unit residence or non-residential structure destroyed or substantially damaged by flood, fire or other similar casualty, or solely to finance the purchase or construction of a residence, multi-unit residence or nonresidential structure to be used in substitution for a similar structure of which the borrower has been deprived through or by reason of eminent domain or condemnation proceedings.

2. (a) The above amendment is issued by the Board of Governors of the Federal Reserve System with the concurrence of the Housing and Home Finance Administrator, under authority of the "Defense Production Act of 1950", approved September 8, 1950, and Executive Order No. 10161, dated September 9, 1950.

The purpose of this amendment is to exempt from the regulation extensions of credit to finance the purchase or construction of a structure to be used in substitution for a similar structure of which the borrower has been deprived through or by reason of eminent domain or condemnation proceedings.

(b) Section 709 of the Defense Production Act of 1950 provides that the functions exercised under such act shall be excluded from the operations of the Administrative Procedure Act (60 Stat.

237) except as to the requirements of section 3 thereof.

Special circumstances have rendered impracticable consultation with industry representatives, including trade association representatives, in the formulation of the above amendments; and, therefore, as authorized by the aforesaid section 709, the amendments have been issued without such consultation.

(Sec. 704, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp. Interprets or applies sec. 602, Pub. Law 774, 81st Cong.)

BOARD OF GOVERNORS OF THE  
FEDERAL RESERVE SYSTEM,  
[SEAL] S. R. CARPENTER,  
Secretary.

[F. R. Doc. 51-4478; Filed, Apr. 16, 1951;  
8:47 a. m.]

## Chapter XVI—Production and Marketing Administration, Department of Agriculture

[Defense Food Order 2]

### DFO 2—PROCESSED FRUITS AND VEGETABLES; SET ASIDE REQUIREMENTS

It is hereby found and determined that the provisions of this order are necessary and appropriate to promote the national defense; and this order, is, therefore, made effective pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong., approved September 8, 1950), Executive Order No. 10161 (15 F. R. 6105), Executive Order No. 10200 (16 F. R. 61), Defense Production Administration Delegation No. 1 (16 F. R. 738), and Secretary's Memorandum No. 1270, as amended (15 F. R. 6424; 16 F. R. 2446). In the formulation of this order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

This order is designed to provide, to the extent possible, for making available an adequate supply of processed foods for the requirements of government agencies to meet military and essential civilian needs. It delegates to the Director, Fruit and Vegetable Branch, authority to issue orders designating processed foods to be subject to set asides, the quantities required to be set aside, and the conditions under which commodities shall be set aside. The Director is also authorized to require records and reports and designate authorized purchasers of set aside processed foods. Processors will be required to comply with all orders issued pursuant to this authorization.

**Sec.**

1. Definitions.
2. Restrictions.
3. Authorization.
4. Contracts and other obligations.
5. Records and reports.
6. Audits and inspections.
7. Violations.
8. Petition for relief from hardship.
9. Delegation of authority.
10. Territorial scope.
11. Communications.

**AUTHORITY:** Sections 1 to 11 issued under sec. 704, Pub. Law 774, 81st Cong.



## RULES AND REGULATIONS

**SECTION 1. Definitions.** (a) "Director" means the Director of the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, and any other officer or employee of the United States Department of Agriculture authorized to act in his stead.

(b) "Processed food" means any preserved product (including but not being limited to a product that is canned, frozen, or pickled) that the Director may, from time to time, specify that is produced from any one or more fruits or vegetables or products thereof.

(c) "Processor" means any person engaged in the commercial production of any processed food.

(d) "Pack" means the total quantity of any particular processed food produced by any processor during such period as may be specified by the Director.

(e) "Government agency" means any Department, Board, Agency, Commission, or government-owned or government-controlled corporation of the United States as may be designated by the Director.

(f) "Person" includes any individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of the foregoing.

**SEC. 2. Restrictions.** (a) The set aside requirements of this order are not, and shall not be deemed to be, a contract or commitment by Government agencies to purchase any processed food unless and until a contract is entered into for that purpose.

(b) Each processor shall set aside and reserve for the requirements of Government agencies such quantities of the processed foods produced by such processor as the Director may from time to time specify. All processed foods so set aside and reserved shall, unless and until released by the Director, be held for delivery to Government agencies.

**SEC. 3. Authorization.** The Director is authorized whenever he determines that it is necessary or appropriate to promote the national defense:

(a) To specify the processed foods that are to be subject to the provisions of this order;

(b) To specify the respective quantities of the processed foods (including the types, styles, varieties, grades, and container sizes and types) that are required to be set aside and reserved, as aforesaid;

(c) To specify the respective packs that are to be used in computing the aforesaid quantities;

(d) To designate an authorized purchaser or purchasers for processed foods set aside and reserved, as aforesaid, for Government agencies; and

(e) To release at any time any processed food that is set aside and reserved, as aforesaid, if he determines that such processed food is not required for Government agencies, and to notify the applicable processors thereof of such release.

**SEC. 4. Contracts and other obligations.** The provisions of this order and requirements pursuant hereto shall be

observed without regard to contracts or obligations heretofore or hereafter entered into, or any rights accrued or payments made thereunder.

**SEC. 5. Records and reports.** (a) The Director shall be entitled to obtain such information from, and to require such reports and the keeping of such records by, any person as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the act and the provisions of this order.

(b) Every person subject to this order shall, for at least two years (or such other period of time as the Director may prescribe), maintain accurate records of his transactions in, and use of, processed foods.

**SEC. 6. Audits and inspections.** The Director shall be entitled to make such audit and inspection of the books, records, and other writings, premises, and stocks of processed foods of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the act and this order.

**SEC. 7. Violations.** Any person who violates any provision of this order, or requirement pursuant to this order, may be prohibited from receiving, making deliveries of, maintaining inventories of, and using processed foods. In addition, any person who wilfully violates any provision of this order, or requirement pursuant to this order, is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil actions may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order, or requirement pursuant to this order.

**SEC. 8. Petition for relief from hardship.** Any person affected by this order, or any requirement pursuant to this order, who considers that compliance with this order would work an exceptional or unreasonable hardship on him, may file a petition for relief with the Director. Petitions shall be in writing and set forth all pertinent facts, the nature of the relief sought, and justification therefor. The Director may take such action with reference to the petition as he deems appropriate. If the petitioner is dissatisfied with the action taken by the Director on the petition, he shall obtain, by requesting the Director therefor, a review of such action by the Administrator. The Administrator, after the review, shall take such action as he deems appropriate and such action shall be final.

**SEC. 9. Delegation of authority.** The administration of this order and the powers vested in the Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of a Government agency any or all of the authority vested in him by this order.

**SEC. 10. Territorial scope.** The provisions of this order shall be applicable within the 48 States, the District of

Columbia, and such territories and possessions as the Director may specify.

**SEC. 11. Communications.** All reports hereunder and all communications concerning this order shall, unless otherwise provided in this order or in instructions issued by the Director, be addressed to the Director of the Fruit and Vegetable Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C.

**NOTE:** All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Done at Washington, D. C., this 12th day of April 1951, to become effective on 17th day of April 1951.

HAROLD K. HILL,  
Deputy Administrator, Production and Marketing Administration.

[F. R. Doc. 51-4574; Filed, Apr. 16, 1951; 12:38 p. m.]

[Defense Food Order 2, Sub-Order 1]

DFO 2—PROCESSED FRUITS AND VEGETABLES; SET ASIDE REQUIREMENTS

SO1—CANNED VEGETABLES—SET ASIDE REQUIREMENTS

It is hereby found and determined that the provisions of this order are necessary and appropriate to promote the national defense; and this order is, therefore, made effective pursuant to the authority vested in me by Defense Food Order No. 2.<sup>1</sup> In the formulation of this order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

This order names the canned vegetables which are required to be set aside out of the 1951 pack and reserved for procurement by Government agencies pursuant to Defense Food Order No. 2. In addition it provides a formula for determining the specific quantity of each canned vegetable to be set aside by each processor. This formula consists of the establishment for each processor of a "base pack", to which is applied a prescribed percentage stated in the order. The order prescribes a time schedule for processors to meet in accumulating the set-aside quantity as the packing season progresses. It also sets forth processors' reporting requirements. It designates the Quartermaster General, United States Department of the Army, and his designees as authorized purchasers of the canned vegetables so set aside and reserved.

The composition of the quantity of canned vegetables set aside under this order is not prescribed, but the order does indicate the preference of Government agencies with respect to type, style, grade, and container sizes and types for each canned vegetable.

<sup>1</sup> See F. R. Doc. 51-4574, *supra*.



The order does not apply to any processor whose aggregate set aside quotas for all canned vegetables amount to less than one carload.

#### Sec.

1. Definitions.
2. Canned vegetables to be set aside and reserved.
3. Stocks to be set aside.
4. Table I.
5. Exemptions.
6. Reports.
7. Designation of authorized purchasers.

AUTHORITY: Sections 1 to 7 issued under sec. 704, Pub. Law 774, 81st Cong.

**SECTION 1. Definitions.** (a) Each term defined in Defense Food Order No. 2, shall, when used herein, have the same meaning as set forth for such term in said Defense Food Order No. 2.

(b) "Canned vegetable" means each of the processed foods produced during the quota period and listed in Column A of Table I.

(c) "Table I" means Table I set forth in section 4 of this order.

(d) "Quota period" means the period beginning on January 1, 1951, and ending on December 31, 1951, both dates inclusive.

(e) "Quota period pack" means, with respect to any canned vegetable, the aggregate quantity of such canned vegetable produced during the quota period.

(f) "Base period" means the two-year period beginning on January 1, 1949, and ending on December 31, 1950, both dates inclusive.

(g) "Base pack" means:

(1) With respect to any canned vegetable produced by any processor during both calendar years of the base period, one-half the aggregate quantity of the canned vegetable so produced;

(2) With respect to any canned vegetable produced by any processor during only one calendar year of the base period, the aggregate quantity of the canned vegetable so produced; and

(3) With respect to any canned vegetable that was not produced by a processor during the base period, the quota period pack of such canned vegetable.

**SEC. 2. Canned vegetables to be set aside and reserved.** (a) The aggregate quantity of a particular canned vegetable that each processor is required, pursuant to Defense Food Order No. 2, to set aside and reserve for the requirements of Government agencies shall be the lesser of (1) the amount obtained by multiplying his base pack for such canned vegetable by the percentage listed therefor in Column B of Table I, or (2) his quota period pack of such canned vegetable. Such aggregate quantity shall be the quota for such processor for such canned vegetable.

(b) The canned vegetable quotas are not required to be of any special composition; however, Table I sets forth the preferences of Government agencies with respect to the types, styles, grades and container sizes and types for each of the canned vegetables.

**SEC. 3. Stocks to be set aside.** (a) Except as otherwise required, each processor shall set aside and reserve his quota of each canned vegetable in accordance with the following schedule:

(1) At least 50 percent of his quota, not later than the date on which the processor's aggregate production of his quota period pack of the canned vegetable is in an amount equal to 40 percent of his base pack of such vegetable; and

(2) The balance of his quota not later than the date on which such processor's aggregate production of his quota period pack of such canned vegetable is in an amount equal to 80 percent of his base pack of such canned vegetable.

(b) With respect to each processor whose base pack of a particular canned vegetable is his quota period pack, in accordance with section 1 (g) (3), the foregoing percentages shall be applied to the respective processor's estimate of his base pack.

**SEC. 4. Table I—Canned vegetables: Set aside percentages and preferences with respect to style of pack, grade, and container sizes and types.**

Canned vegetables (A)	Percentage of base pack (B)	Style Sequence denotes preference unless otherwise specified (C)	Grade preference <sup>1</sup>		Preferred container sizes and types <sup>2</sup> (cans unless otherwise specified) (F)
			First (D)	Second (E)	
Asparagus.....	12	(1. Spears..... 2. Cut spears.....)	U. S. Fancy.....	{ U. S. Std. Min. score 80 points. <sup>3</sup> U. S. Fancy.....	2's.
Beans, lima.....	25	.....	U. S. Ext. Std. ....	U. S. Fancy.....	10's-2's.
Beans, green or wax.....	14	Cut.....	U. S. Ext. Std. (round type).	U. S. Fancy (round type).	10's-2's.
Carrots.....	27	(1. Sliced..... 2. Diced..... 3. Cut.....)	U. S. Fancy.....	{ U. S. Std. Min. score 80 points. <sup>3</sup> U. S. Fancy.....	10's-2's.
Corn, sweet.....	15	(Whole grain <sup>4</sup> ..... Cream style <sup>5</sup> .....)	U. S. Ext. Std. ....	U. S. Fancy.....	Whole grain, 10's-2's, No. 2 vacuum. Cream Style, 2's-No. 3 tall.
Peas, green.....	15	.....	U. S. Ext. Std. ....	U. S. Fancy.....	10's-2's.
Pumpkin.....	17	.....	U. S. Fancy.....	U. S. Fancy.....	2 1/4's.
Sweetpotatoes.....	22	(1. Whole and pieces..... 2. Whole.....)	U. S. Fancy.....	{ U. S. Std. Min. score 80 points. U. S. Std. Min. score 70 points. <sup>10</sup>	2 1/4's-No. 3 vacuum.
Tomatoes.....	20	.....	U. S. Ext. Std. or U. S. Fancy. <sup>6</sup>	U. S. Std. Min. score 70 points. <sup>10</sup>	10's-2 1/4's-2's.
Tomato catsup.....	16	.....	U. S. Fancy 33% solids and over. <sup>7</sup>	U. S. Fancy, except 29-33% solids. <sup>8</sup>	10's-14 oz. bottles-2's.
Tomato paste.....	17	.....	U. S. Fancy, medium conc. <sup>9</sup>	U. S. Fancy, light conc. <sup>9</sup>	10's-2 1/4's.

<sup>1</sup> Grades are those defined in applicable United States Standards.

<sup>2</sup> 75 percent of requirements are preferred in container sizes listed first.

<sup>3</sup> 75 percent of requirements are preferred in whole grain, and 25 percent cream style.

<sup>4</sup> First preference green beans.

<sup>5</sup> Type I as defined in Federal Specifications JJJ-T-571a.

<sup>6</sup> Type I as defined in Federal Specifications JJJ-C-91a.

<sup>7</sup> Type I as defined in Federal Specifications JJJ-T-579.

<sup>8</sup> With not less than 31 points for tenderness.

<sup>9</sup> With not less than 24 points for texture.

<sup>10</sup> With not less than 13 points for drained weight, 21 points for color, and 19 points for absence of defects.

**SEC. 5. Exemptions.** The provisions of this order shall not apply to any processor whose aggregate set aside quotas for all canned vegetables amount to less than one carload.

**SEC. 6. Reports—**(a) *Base period production.* Each processor shall file with the Director, within 30 days after the effective date of this order, accurate reports on DFO Form-3, showing the following information with respect to each canned vegetable produced by such processor during each year of the base period:

(1) Date; name and address of processor; and

(2) Total quantity, in terms of dozens of containers, by container types and sizes.

(b) *Quota period production.* Each processor who proposes to produce any canned vegetable during the quota period which he did not produce during the base period shall file with the Director,

(1) within 30 days after the effective date of this order, a report on DFO Form-3 showing his estimate of his production of such canned vegetable during the quota period, and (2) within 10 days after the completion of his pack of such canned vegetable, an additional report on DFO Form-3 showing his actual pro-

duction thereof during the quota period. Estimated production and actual production shall be shown on DFO Form-3 in the column headed "1950" by striking "1950" and substituting therefor "1951", and by marking the form "Estimate" or "Actual", as the case may be.

(c) *Time of filing.* Any report required to be filed pursuant to this order shall be deemed to be filed when it is post-marked, if mailed, or when it is received by the Director, if otherwise delivered.

**SEC. 7. Designation of authorized purchasers.** The Quartermaster General, United States Department of the Army, and each of his designees for such purpose are hereby designated as authorized purchasers of canned vegetables set aside and reserved hereunder, pursuant to Defense Food Order No. 2, for the requirements of Government agencies, in such amounts as are specifically approved by the Director.

**Effective date.** This order shall become effective upon publication in the FEDERAL REGISTER.

**NOTE:** All reporting requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of,



Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Done at Washington, D. C., this 13th day of April 1951.

S. R. SMITH,  
*Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.*

[F. R. Doc. 51-4575; Filed, Apr. 16, 1951;  
12:38 p. m.]

## TITLE 43—PUBLIC LANDS: INTERIOR

### Chapter I—Bureau of Land Manage- ment, Department of the Interior

#### Appendix—Public Land Orders

[Public Land Order 709]

#### NEW MEXICO

#### WITHDRAWING PUBLIC LAND FOR USE OF THE STATE DEPARTMENT IN CONNECTION WITH THE RIO GRANDE CANALIZATION PROJECT

By virtue of the authority vested in the President by the act of May 13, 1924 (43 Stat. 118), as amended by the act of August 19, 1935 (49 Stat. 660; 22 U. S. C. 277c), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public land is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Department of State in connection with the Rio Grande Canalization Project:

#### NEW MEXICO PRINCIPAL MERIDIAN

T. 17 S., R. 4 W.,  
Sec. 4.

The area described contains 579.80 acres.

This order shall be subject to the order of April 8, 1935, of the Secretary of the Interior establishing New Mexico Grazing District No. 4, so far as such order affects the above-described land.

It is intended that the land described above shall be returned to the administration of the Department of the Interior when it is no longer needed for the purpose for which it is reserved.

OSCAR L. CHAPMAN,  
*Secretary of the Interior.*

APRIL 10, 1951.

[F. R. Doc. 51-4474; Filed, Apr. 16, 1951;  
8:46 a. m.]

[Public Land Order 710]

#### WASHINGTON

#### PARTIAL REVOCATION OF PUBLIC LAND ORDER NO. 261 OF JANUARY 24, 1945 RESERVING LANDS FOR THE USE OF THE WAR DEPART- MENT FOR MILITARY PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 261 of January 24, 1945, reserving lands for the use of the War Department for military purposes, is hereby revoked so far as it affects the following-described public land:

#### WILLAMETTE MERIDIAN

T. 13 N., R. 28 E.,  
Sec. 26, W $\frac{1}{2}$ .

The area described contains 320 acres.

The land is withdrawn for reclamation purposes by the orders of April 26, 1937 and December 21, 1943 of the Secretary of the Interior.

This order shall become effective at 10:00 a. m. on the 35th day after the date of this order.

OSCAR L. CHAPMAN,  
*Secretary of the Interior.*

APRIL 10, 1951.

[F. R. Doc. 51-4473; Filed, Apr. 16, 1951;  
8:46 a. m.]

[Public Land Order 711]

#### NEBRASKA AND SOUTH DAKOTA

#### REVOKING EXECUTIVE ORDER NO. 6604 OF FEBRUARY 16, 1934, WITHDRAWING PUBLIC LANDS FOR SOIL CLASSIFICATION

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910, C. 421, 36 Stat., 847 (43 U. S. C. sec. 641), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 6604 of February 16, 1934, withdrawing all public lands in the following-described townships in Nebraska and South Dakota for the purpose of soil classification, is hereby revoked:

#### NEBRASKA

##### SIXTH PRINCIPAL MERIDIAN

Tps. 32, 33, and 34 N., R. 9 W.  
Tps. 32, 33, 34, and 35 N., R. 10 W.  
Tps. 33 and 35 N., R. 11 W.

The areas described, including both public and non-public lands, aggregate approximately 207,360 acres.

#### SOUTH DAKOTA

##### BLACK HILLS MERIDIAN

Tps. 3 N., Rs. 28, 29, and 30 E.  
T. 4 N., R. 30 E.  
Tps. 3 and 4 N., R. 31 E.  
Tps. 4 N., Rs. 32, 33, and 34 E.

##### FIFTH PRINCIPAL MERIDIAN

Tps. 95 N., Rs. 65, 66, and 67 W.  
Tps. 96 N., Rs. 67 and 68 W.  
Tps. 97 N., Rs. 68 and 69 W.  
T. 98 N., R. 69 W.  
Tps. 97, 98, and 99 N., R. 70 W.  
Tps. 99, 100, 101, 102, 104, and 105 N., R. 71 W.  
Tps. 99, 100, 101, 102, 103, 104, and 105 N., R. 72 W.  
Tps. 100, 101, 102, 103, 104, 105, and 106 N., R. 73 W.  
Tps. 101, 103, 104, 105, and 106 N., R. 74 W.  
Tps. 101, 102, 103, 104, 105, and 106 N., R. 75 W.  
Tps. 101, 102, 103, 104, 105, and 106 N., R. 76 W.  
Tps. 101, 102, 103, 104, 105, and 106 N., R. 77 W.  
Tps. 101, 102, 103, 104, 105, 106, 107, 108, and 109 N., R. 78 W.  
Tps. 103, 104, 105, 106, 107, 108, and 109 N., R. 79 W.

The areas described, including both public and non-public lands, aggregate approximately 1,820,160 acres.

Some of the public lands in the above-described areas were reserved for use, administration, and disposition in accordance with the provisions of Title III of the Bankhead-Jones Farm Tenant Act of July 22, 1937, 50 Stat. 522, 525 (7 U. S. C. sec. 1011), and the related provisions of Title IV thereof, and the jurisdiction thereover was transferred to the Department of Agriculture in connection with the South Central South Dakota Project (SD-LU-2) by Executive Order No. 10046 of March 24, 1949.

The rest of the public lands within the above-described areas are scattered tracts aggregating approximately 96 acres in Nebraska and 5,080 acres in South Dakota. They are considered to be chiefly valuable for disposal at public sale. No application for these lands may be allowed under the homestead, small-tract, or desert-land laws or any other non-mineral public-land laws unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed



either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Bureau of Land Management, Washington 25, D. C., shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Director, Bureau of Land Management, Washington 25, D. C.

OSCAR L. CHAPMAN,  
Secretary of the Interior.

APRIL 10, 1951.

[F. R. Doc. 51-4472; Filed Apr. 16, 1951;  
8:46 a. m.]

## TITLE 49—TRANSPORTATION

### Chapter I—Interstate Commerce Commission

[No. 10122]

#### PART 139—STANDARD TIME ZONE BOUNDARIES

##### BOUNDARY LINE BETWEEN MOUNTAIN AND PACIFIC ZONES

In § 139.7, *Boundary line between mountain and Pacific zones*, appearing in the 1949 Edition of the Code of Federal Regulations, the last sentence of explanatory note under paragraph (b) should refer to "mountain" zone instead of "central" zone. As amended the note should read:

NOTE: While the order in 78 I. C. C. 606 did not in terms modify the boundary in Utah, the effect was a slight modification as "the point last described" in the preceding para-

graph, as revised, is Woodruff, Idaho, on the Malad Valley branch of the Oregon Short Line Railroad (now the Union Pacific System), whereas prior to that order it was Weston, Idaho, on the main line of that road. The effect was to include in the mountain zone Utah points on the branch line between it and the main line.

(Secs. 1, 2, 4, 40 Stat. 450, 451, sec. 1, 41 Stat. 1446, 42 Stat. 1434; 15 U. S. C. 261-265)

[SEAL]

W. P. BARTEL,  
Secretary.

APRIL 11, 1951.

[F. R. Doc. 51-4485; Filed, Apr. 16, 1951;  
8:48 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF AGRICULTURE

#### Production and Marketing

##### Administration

##### [7 CFR, Part 29]

##### TOBACCO INSPECTION

##### ANNOUNCEMENT OF REFERENDUM IN CONNECTION WITH PROPOSED DESIGNATION UNDER TOBACCO INSPECTION ACT OF TOBACCO AUCTION MARKET OF LAMAR, S. C.

Pursuant to the authority vested in the Secretary of Agriculture by The Tobacco Inspection Act (7 U. S. C. 511 et seq.) and in accordance with the applicable regulations (13 F. R. 9474-9479) issued thereunder by the Secretary, notice is given that a referendum of tobacco growers will be conducted from May 10 through May 12, 1951, to determine whether growers favor the designation of the Lamar, South Carolina, tobacco auction market for free and mandatory inspection of tobacco sold thereon.

Growers who sold tobacco on the aforesaid market during the 1950 marketing season shall be eligible to vote in said referendum. Ballots for use in said referendum will be mailed to all eligible voters insofar as their names and addresses are known. Eligible voters who do not receive ballots by mail may obtain them from the county agent or the office of the county PHA committee at Darlington, S. C., or from the office of the Planters Warehouse at Lamar.

All completed ballots shall be mailed to the Tobacco Branch, Production and Marketing Administration, United States Department of Agriculture, P. O. Box 549, Raleigh, North Carolina, and, in order to be counted in said referendum, must be postmarked not later than midnight, May 12, 1951.

Issued this 12th day of April 1951.

[SEAL] CHARLES F. BRANNAN,  
Secretary of Agriculture.

[F. R. Doc. 51-4489; Filed, Apr. 16, 1951;  
8:51 a. m.]

##### [7 CFR, Part 54]

##### DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF

##### GRADING AND INSPECTION; U. S. SPECIFICATIONS FOR CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

Notice is hereby given that the United States Department of Agriculture is considering the issuance, as hereinafter pro-

posed of revised rules governing the grading and inspection of domestic rabbits and edible products thereof and United States specifications for classes, standards, and grades with respect thereto, to become effective May 1, 1951, pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act of 1951 (Pub. Law 759, 81st Cong. approved September 6, 1950). The proposed rules and specifications will supersede the currently effective provisions of Part 70 (7 CFR Part 70), insofar as applicable to domestic rabbits and edible products thereof, and will thereupon be promulgated as Part 54 (7 CFR Part 54). On March 13, 1951 (16 F. R. 2350), a proposed revision of the provisions in Part 70 insofar as applicable to poultry and edible products thereof, was published in the FEDERAL REGISTER; and it is contemplated that the revised poultry regulations and the revised domestic rabbit regulations would become effective at the same time.

A substantial portion of the provisions of the proposed rules and specifications has received thorough consideration throughout the country at conferences held with the industry and other interested persons. Among other things, the proposed revision of rules and specifications changes the provisions governing the grading of ready-to-cook domestic rabbits by requiring, as a prerequisite thereto, some form of prescribed inspection for wholesomeness; clarifies some of the definitions and provisions contained in the currently effective regulations (7 CFR Part 70); and provides changes in the classes and standards of quality for ready-to-cook domestic rabbits.

All persons who desire to submit written data, views, or arguments in connection with the proposals should submit the same in triplicate to the Chief of the Marketing Services Division, Poultry Branch, Production and Marketing Administration, United States Department of Agriculture, Room 2099 South Building, Washington 25, D. C., not later than the close of business on the 15th day after the publication of this notice in the FEDERAL REGISTER.

The proposal is as follows:

##### SUBPART A—RULES GOVERNING THE GRADING AND INSPECTION OF DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF

##### DEFINITIONS

Sec. 54.1 Definitions.

##### ADMINISTRATION

54.2 Administration.



## GENERAL

- Sec.  
54.3 Grading and inspection programs and services.  
54.4 Application for grading service or inspection service.  
54.5 Fraud or misrepresentation.  
54.6 Political activity.  
54.7 Interfering with a grader or inspector.  
54.8 Other applicable regulations.  
54.9 Publications.  
54.10 Forms of certificates.  
54.11 Identifying and marking products.  
54.12 Supervision of marking and packaging.  
54.13 Retention labels.  
54.14 Prerequisites to grading and inspection.  
54.15 Accessibility of products.  
54.16 Time of grading or inspection in an official plant.  
54.17 Report of inspection work and grading work.  
54.18 Fees and charges.

## INSPECTION

- 54.19 Manner of handling products in an official plant.  
54.20 Ante-mortem inspection.  
54.21 Evisceration.  
54.22 Carcasses held for further examination.  
54.23 Condemnation and treatment of carcasses.  
54.24 Certification of carcasses.  
54.25 Reinspection of edible products.  
54.26 Appeal inspection; how made.  
54.27 Inspection certificates; issuance and disposition.

## GRADING

- 54.28 General.  
54.29 Live domestic rabbits.  
54.30 Ready-to-cook domestic rabbits.  
54.31 Basis of acceptability of other official inspection systems.  
54.32 Certificates.  
54.33 Application for regrading of a graded product; regrading certificates.  
54.34 Appeal grading.  
54.35 Superseded certificates.

## SANITARY REQUIREMENTS

- 54.36 Minimum standards for sanitation, facilities, and operating procedures in official plants.  
54.37 Authority of Administrator to amend minimum standards for sanitation, facilities, and operating procedures in official plants.

## SUBPART B—UNITED STATES STANDARDS FOR DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF

- 54.101 United States specifications for classes of ready-to-cook domestic rabbits.  
54.102 United States specifications for standards of quality for individual ready-to-cook domestic rabbits.

AUTHORITY: §§ 54.1 to 54.102 issued under Pub. Law 759, 81st Cong.; approved Sept. 6, 1950.

## SUBPART A—GRADING AND INSPECTION OF DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF

## DEFINITIONS

§ 54.1 *Definitions.* Unless the context otherwise requires, the following terms shall have the following meaning:

(a) "Act" means the following provisions of the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and of the Department of Agriculture Appropriation Act, 1951 (Pub. Law 759, 81st Cong., approved September 6, 1950), or any other act of Congress conferring like authority:

## AGRICULTURAL MARKETING ACT OF 1946

\* \* \* to develop and improve standards of quality, condition, quantity, grade, and packaging, and recommend and demonstrate such standards in order to encourage uniformity and consistency in commercial practices \* \* \*

To inspect, certify, and identify the class, quality, quantity, and condition of agricultural products when shipped or received in Interstate Commerce under such rules and regulations as the Secretary of Agriculture may prescribe, including assessment and collection of such fees as will be reasonable and as nearly as may be to cover the cost of the service rendered, to the end that agricultural products may be marketed to the best advantage, that trading may be facilitated, and that consumers may be able to obtain the quality product which they desire, \* \* \*

## DEPARTMENT OF AGRICULTURE APPROPRIATION ACT, 1951

\* \* \* Market inspection of farm products: For the investigation and certification, in one or more jurisdictions, to shippers and other interested parties of the class, quality, and condition of any agricultural commodity or food product, whether raw, dried, canned, or otherwise processed, and any product containing an agricultural commodity or derivative thereof when offered for interstate shipment or when received at such important central markets as the Secretary may from time to time designate, or at points which may be conveniently reached therefrom under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered, \* \* \*

Marketing farm products: For acquiring and diffusing among the people of the United States useful information relative to the needed supplies, standardization, classification, grading, preparation for market, handling, transportation, storage, and marketing of farm and food products, including the demonstration and promotion of the use of uniform standards of classification of American farm and food products throughout the world, \* \* \*

(b) "Administration" means the Production and Marketing Administration of the Department.

(c) "Administrator" means the Administrator of the Production and Marketing Administration of the Department, or any other officer or employee of the Department to whom there has heretofore been delegated, or to whom there may hereafter be delegated, the authority to act in his stead.

(d) "Applicant" means any interested party who requests any inspection service or grading service.

(e) "Carcass" means any domestic rabbit carcass.

(f) "Class" means any subdivision of a product based on essential physical characteristics that differentiate between major groups of the same kind.

(g) "Condition" means any condition, including, but not being limited to, the state of preservation, cleanliness, or soundness of any product and the processing, handling or packaging which may affect such product.

(h) "Condition and wholesomeness" means the condition of any product, its healthfulness and fitness for human food.

(i) "Department" means the United States Department of Agriculture.

(j) "Domestic rabbit grading and inspection service" means the personnel of

the Administration who are engaged in the administration, application, and direction of domestic rabbit grading and inspection programs and services pursuant to the regulations in this part.

(k) "Edible product" means any product other than live domestic rabbits.

(l) "Grader" means any employee of the Department authorized by the Secretary, or any other individual to whom a license has been issued by the Secretary, to investigate and certify, in accordance with the regulations in this part, the class, quality, quantity, and condition of products.

(m) "Grading" or "grading service" means (1) the act whereby a grader determines, according to the regulations in this part, the class, quality, quantity, or condition of any product by examining each unit thereof, or each unit of the representative sample thereof drawn by a grader, and issues a grading certificate with respect thereto; (2) in addition to the foregoing the act whereby the grader identifies, according to the regulations in this part, the graded product; and (3) any regrading or any appeal grading of a previously graded product.

(n) "Grading certificate" means a statement, either written or printed, issued by a grader, pursuant to the regulations in this part, relative to the class, quality, quantity, or condition of a product.

(o) "Identify" means to apply official identification to products or to containers thereof.

(p) "Inspected and certified" or "certified" means, with respect to any product, that it has undergone an inspection and was found, at the time of such inspection, to be sound, wholesome, and fit for human food.

(q) "Inspection," "inspection service" or "inspection of products for condition and wholesomeness" means any inspection by an inspector to determine, in accordance with the regulations in this part, (1) the condition and wholesomeness of domestic rabbits, or (2) the condition and wholesomeness of any edible product at any stage of the preparation or packaging thereof in the official plant where inspected and certified, or (3) the condition and wholesomeness of any previously inspected and certified product if such product has not lost its identity as an inspected and certified product.

(r) "Inspection certificate" means a statement either written or printed, issued by an inspector, pursuant to the regulations in this part, relative to the condition and wholesomeness of products.

(s) "Inspector" means any person who is licensed by the Secretary to investigate and certify, in accordance with the regulations in this part, the condition and wholesomeness of products. An inspector may be an employee of the Department or of a State; he may be a graduate veterinarian or a layman.

(t) "Interested party" means any person financially interested in a transaction involving any inspection or grading.

(u) "National supervisor" means (1) the officer in charge of domestic rabbit inspection service of the Administration,



(2) the officer in charge of domestic rabbit grading service of the Administration, and (3) such other officers or employees of the Department who may be so designated by the officer in charge of the domestic rabbit grading and inspection service of the Administration.

(v) "Office of grading" means the office of any grader.

(w) "Official identification" means the symbol represented by a stamp, label, seal, or other device approved by the Administrator, and affixed to any product, or to any container thereof, stating that the product was graded or inspected, or both; and the class, quality, or condition of such product as determined by a grader may be indicated.

(x) "Official plant" means one or more buildings or parts thereof, comprising a single plant in which the facilities and methods of operation therein have been approved by the Administrator as suitable and adequate for operation under inspection or grading service and in which inspection or grading is carried on in accordance with the regulations in this part.

(y) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(z) "Product" means ready-to-cook domestic rabbits and, with respect to grading service only, live domestic rabbits.

(aa) "Quality" means the inherent properties of any product which determine its relative degree of excellence.

(bb) "Ready-to-cook domestic rabbit" means any domestic rabbit which has been slaughtered for human food, from which the head, blood, skin, feet, and inedible viscera have been removed, that is ready to cook without need of further processing or any cut-up or disjointed portion of such domestic rabbit.

(cc) "Regional supervisor" means any regional supervisor of the Administration in charge of domestic rabbit grading service or domestic rabbit inspection service in a designated geographical area.

(dd) "Regulations" means the provisions of this entire part and such United States specifications for classes, standards, and grades for products as may be in effect at the time grading or inspection is performed.

(ee) "Secretary" means the Secretary of the Department, or any other officer or employee of the Department to whom there has heretofore been delegated, or to whom there may hereafter be delegated, the authority to act in his stead.

(ff) "State supervisor" means any authorized and designated individual who is in charge of domestic rabbit grading service or domestic rabbit inspection service in a State. A State supervisor of domestic rabbit inspection service shall be a veterinarian and may be either a Federal-State employee or a Federal employee.

(gg) "Station supervisor" means any authorized individual who is designated to supervise domestic rabbit grading service or domestic rabbit inspection service in a large official plant or in a group of several small plants.

#### ADMINISTRATION

§ 54.2 *Administration.* The Administrator shall perform for and under the supervision of the Secretary, such duties as are prescribed in the regulations in this part and as the Secretary may require in the Administration of the regulations in this part.

#### GENERAL

§ 54.3 *Grading and inspection programs and services—(a) Kinds of services.* The regulations in this part provide for the following kinds of services with respect to live and ready-to-cook domestic rabbits:

(1) Grading of live domestic rabbits.  
(2) Grading of ready-to-cook domestic rabbits:

(i) In an official plant.  
(ii) At terminal markets and other receiving points other than official plants.

(3) Inspection of ready-to-cook domestic rabbits.

(b) *Processing of domestic rabbits in official plants; grading and inspection thereof.* Only domestic rabbits which are processed in official plants in accordance with the regulations in this part may be graded or inspected; and only domestic rabbits which are inspected pursuant to the regulations in this part or inspected and passed by any other official inspection system acceptable to the Administration may be graded.

All domestic rabbits that are eviscerated in an official plant where inspection service is maintained, shall be inspected for condition and wholesomeness and no uninspected edible products shall be brought into such official plant.

(c) *Basis of service and where offered.*

(1) Any inspection service in accordance with the regulations in this part shall be for condition and wholesomeness.

(2) Any grading service in accordance with the regulations in this part shall be for class, quality, quantity, or condition or any combination thereof. Grading service with respect to determination of quality of products shall be on the basis of United States specifications for classes, standards, and grades as contained in Subpart B of the regulations in this part. However, grading service may be rendered with respect to products which are bought and sold on the basis of institutional contract specifications and such service, when approved by the Administrator, shall be rendered on the basis of the specifications of such contract.

(3) All grading service and all inspection service shall be subject to supervision at all times by the applicable station supervisor, State supervisor, regional supervisor, and national supervisor. Such service shall be rendered where the facilities and conditions are satisfactory for the conduct of the service and the requisite graders and inspectors are available.

(d) *Licensed graders and inspectors.*

(1) Any person who is a Federal or State employee possessing proper qualifications as determined by an examination for competency, and who is to perform grading service or inspection service

may be licensed by the Secretary as a grader or an inspector.

(2) Any prospective grader, other than a Federal or State employee, possessing proper qualifications as determined by an examination for competency and who is to perform grading service may be licensed by the Secretary as a grader.

(3) Any prospective grader, other than a Federal or a State employee, shall, prior to granting of the license, procure and deliver to the Administration a surety bond, issued by such surety as may be approved by the Administrator, in the amount of \$1,000 for the proper performance of the duties of such licensee under the regulations in this part.

(4) All licenses issued by the Secretary shall be countersigned by the officer in charge of the domestic rabbit grading and inspection service of the Administration or any other designated official of such service.

(e) *Suspension of license or authority; revocation.* Pending final action by the Secretary, the aforesaid officer in charge of the domestic rabbit grading and inspection service may, whenever he deems such action necessary, suspend any license or authority effective pursuant to the regulations in this part, by giving notice of such suspension to the respective individual involved, accompanied by a statement of the reasons therefor. Within seven days after the receipt of the aforesaid notice and statement of reasons by such individual, he may file an appeal, in writing, with the Secretary supported by any argument or evidence that he may wish to offer as to why his license or authority should not be suspended or revoked. After the expiration of the aforesaid seven-day period and consideration of such argument and evidence, the Secretary will take such action as he deems appropriate with respect to such suspension or revocation. When no appeal is filed within the prescribed seven days the license is revoked.

(f) *Surrender of license.* Each license which is suspended or revoked, or has expired, shall promptly be surrendered by the licensee to his immediate superior. Upon termination of the services of a licensed grader, the licensee shall promptly surrender his license to his immediate superior for cancellation.

(g) *Identification.* Each grader and inspector shall have in his possession at all times, and present upon request while on duty, the means of identification furnished by the Department to such person.

(h) *Financial interest of inspectors.* No inspector shall inspect any product in which he is financially interested.

§ 54.4 *Application for grading service or inspection service—(a) Who may obtain grading service or inspection service.* An application for grading service or inspection service may be made by any interested person, including, but not being limited to, the United States, any State, county, municipality, or common carrier, and any authorized agent of the foregoing.



(b) *How application may be made.*

(1) An application for inspection service shall be made in writing and filed with the Administrator.

(2) An application for grading service to be rendered in an official plant shall be made in writing and filed with the Administrator.

(3) An application for any grading service to be rendered other than in an official plant may be made in any office of grading or with any grader at or nearest the place where the service is desired. Such application may be made orally, in writing, or by telegraph. If the application for grading service is made orally, the office of grading, grader with whom the application is made, or the Administrator may require that the application be confirmed in writing.

(4) Each application for grading service or inspection service shall include such information as may be required by the Administrator in regard to the products and premises where the service is rendered.

(c) *Filing of application.* An application for grading service or inspection service shall be regarded as filed only when made pursuant to the regulations in this part.

(d) *Authority of applicant.* Proof of the authority of any person applying for grading service or inspection service may be required at the discretion of the Administrator.

(e) *Application for inspection service or grading service in official plants; approval.* Any person desiring to process and pack products in a plant under grading service or inspection service, or both, must receive approval of such plant as an official plant prior to the rendition of such service. An application for grading service or inspection service to be rendered in an official plant shall be approved according to the following procedure:

(1) *Initial survey.* When application has been filed for grading service or inspection service, as aforesaid, an examination of the plant and premises shall be made by the regional supervisor, or his assistant, and the necessary facilities specified for the service. Appeals with respect to any such specification may be made to the national supervisor.

(2) *Drawings and specifications to be furnished.* Four copies of drawings, consisting of floor plans of space to be included in the official plant, showing the locations of such features as the principal pieces of equipment, floor drains, principal drainage lines, hand washing facilities, hose connections for clean up purposes, cardinal points of the compass, and the routes of edible and inedible products through the plant, properly drawn to scale, shall be submitted to the regional supervisor. The official plant shall include toilet and dressing rooms, office space for the inspector and grader, store rooms for supplies used in the operations under inspection or grading, feeding rooms, and all rooms, compartments or passageways where products or any ingredients to be used in the preparation of products under inspection service or grading service will be handled or kept, and may

include other rooms or compartments located in the building or buildings comprising the official plant. If rooms or compartments shown on the drawings are not to be included as part of the official plant, this should be clearly indicated thereon. Specifications covering the height of ceilings, types of principal pieces of equipment, character of floors, walls, and ceilings, lighting, ventilation, water supply, and drainage, and such other notations as may be required, shall accompany the drawings. Construction or remodeling of buildings, facilities, or premises should not be initiated without prior approval of the drawings. Upon approval of drawings and specifications the application for grading service or inspection service may be approved.

(3) *Final survey.* Prior to the inauguration of the grading service or inspection service, a final survey of the plant and premises shall be made by the regional supervisor or his assistant to determine if the plant is constructed and facilities are installed in accordance with the approved drawings and the regulations in this part. The plant may be approved only when these requirements have been met, except that conditional approval for a specified limited time may be granted only under emergency conditions of restricted availability of facilities and construction materials; provided practices suitable to the Administrator are employed to effect adequate sanitary conditions in the plant.

(f) *Rejection of application.* Any application for grading service or inspection service may be rejected by the Administrator (1) for noncompliance, by the applicant, with the act or the regulations in this part, or (2) whenever the product involved is owned by, or located on the premises of, a person currently denied the benefits of the act. Each such applicant shall be notified immediately of the reasons for the rejection.

(g) *Withdrawal of application.* Any application for grading or inspection service may be withdrawn by the applicant at any time before the service is performed upon payment, by the applicant, of all expenses incurred by the Administration in connection with such application.

(h) *Order of service.* Grading service or inspection service shall be performed, insofar as practicable, in the order in which application therefor is made except that precedence may be given to any application for an appeal inspection or appeal grading.

§ 54.5 *Fraud or misrepresentation.* Any wilful violation of the regulations in this part, the use of the terms "Government graded," "Federal-State graded," or terms of similar import in the labeling or advertising of any product without stating in conjunction therewith the U. S. grade of the product, or any wilful misrepresentation or deceptive or fraudulent practice found to be made or committed by any person in connection with:

(a) The making or filing of an application for any grading service or inspection service;

(b) The use of any grading certificate or inspection certificate issued pursuant

to the regulations in this part, or the use of any official identification;

(c) The use of the terms "United States" or "U. S." in conjunction with the grade of the product;

(d) The use of any of the aforesaid terms or an official identification in the labeling or advertising of any product; or

(e) The use, in connection with any product, of a facsimile form which simulates in whole or in part any official identification; may be deemed sufficient cause for debarring such person from any or all benefits of the act after opportunity for hearing has been accorded him; and, pending investigation and hearing, the Administrator may, without hearing, direct that such person shall be denied the benefits of the act.

§ 54.6 *Political activity.* All graders and inspectors who are employees of the Department are forbidden during the period of their respective appointments or licenses, to take an active part in political management or in political campaigns. Political activity in city, county, State, or national elections, whether primary or regular, or in behalf of any party or candidate, or any measure to be voted upon, is prohibited. This applies to all appointees, including, but not being limited to, temporary and cooperative employees and employees on leave of absence with or without pay. Wilful violation of this section will constitute grounds for dismissal in the case of appointees and revocation of licenses in the case of licensees.

§ 54.7 *Interfering with a grader or inspector.* Any further benefits of the act and the regulations in this part may be denied any applicant who either personally or through an agent or representative interferes with or obstructs, by intimidation, threats, ridicule, or assault, or in any other manner, a grader or inspector in the performance of his official duties.

§ 54.8 *Other applicable regulations.* Compliance with the regulations in this part shall not excuse failure to comply with any other applicable Federal, State, or municipal laws or regulations.

§ 54.9 *Publications.* Publications under the act and the regulations in this part shall be made in the FEDERAL REGISTER, the Service and Regulatory Announcements of the Department, and such other media as the Administrator may approve for the purpose.

§ 54.10 *Forms of certificates—(a) Grading certificates.* Grading certificates (including appeal grading certificates and regrading certificates) shall be issued on forms approved by the Administrator.

(b) *Inspection certificates.* Each inspection certificate issued pursuant to the regulations in this part shall be approved by the Administrator as to form, and:

(1) Each domestic rabbit inspection certificate shall show the class or classes of domestic rabbits, the quantity of product contained in the respective lot, and all pertinent information concern-



ing the condition and wholesomeness thereof;

(2) Each food product inspection certificate shall show the names of the edible products covered by such certificate, the quantity of each such product, such shipping marks as are necessary to identify such products, and all pertinent information concerning the condition and wholesomeness thereof;

(3) Each export certificate shall show the respective names of the exporter and the consignee, the destination, the shipping marks, the numbers of the export stamps attached to the edible products to be exported and covered by the certificate, and the names of such products and the total net weight thereof.

(c) *Advance information.* Upon the request of an applicant, all or part of the contents of any grading certificate or inspection certificate issued to such applicant may be telephoned or telegraphed to him, or to any person designated by him at his expense.

§ 54.11 *Identifying and marking products—*(a) *Approval of official identification.* (1) Any label or packaging material which bears any official identification shall be used only in such manner as the Administrator may prescribe. No label or packaging material bearing official identification may be used unless finished copies or samples of such labels and packaging material have been approved by the Administrator. No label bearing official identification shall be printed for use until the printer's final proof has been approved by the Administrator; and no label, other than labels for shipping containers or containers for institutional packs, bearing any official identification shall be used until finished copies or samples of such labels have been approved by the Administrator. Final approval may be given to printer's final proof or photostatic copies of labels for shipping containers or containers for institutional packs, and no such labels shall be used until such proofs or copies have been approved by the Administrator. A label which bears official identification shall not bear any statement that is false or misleading, and if labels in the name of the same packer or distributor, or bearing the same brand name, are used on the same or similar products which are prepared from products which are not inspected, the diameter of the inspection mark, or combination inspection and grading mark, used on labels for inspected products shall be equal to at least one-tenth of the length of the label, plus at least one-tenth of the width of the label. If the labeling is printed or otherwise applied directly to the container, the principal display panel of such container shall, for this purpose, be considered as the label.

(2) Any present supply of labels approved, pursuant to the applicable provisions of Part 70 of this chapter, prior to the effective time of the regulations in this part may continue to be used until such present supply is exhausted.

(b) *Products that may be individually identified; information required on grade mark.* Only ready-to-cook domestic rabbits which are of A Quality or B

Quality may be individually identified with a grade mark. Except as otherwise authorized each grade mark which is to be used shall conspicuously indicate the U. S. grade and class of the product it identifies and shall include one of the following phrases: "Federal-State Graded," or "Government Graded," or a phrase of similar import. Such grade mark shall be contained within the outline of a shield of such design as may be prescribed or approved by the Administrator.

(c) *Use of grade mark and inspection mark with respect to the same product.* The Administrator is authorized to prescribe and approve the form of the grade mark and inspection mark that may be used individually or in combination with respect to the same product.

(d) *Marking inspected products—*(1) *Wordings and form of the inspection mark.* Except as otherwise authorized the inspection mark permitted to be used with respect to inspected and certified edible products shall include wording as follows: "Inspected for wholesomeness by U. S. Department of Agriculture." This wording, in such form as the Administrator may prescribe or approve shall be contained within a circle. The Administrator may approve the use of abbreviations of such inspection mark; and such approved abbreviations shall have the same force and effect as the inspection mark. The inspection mark or approved abbreviation thereof, as the case may be, may be applied to the inspected and certified edible product or to the packaging material of such product. The inspection mark, or the approved abbreviation thereof, shall, when used on packaging material, be printed on such material or on a label to be affixed to the packaging material, and the name of the packer or distributor of such product must be legibly printed on the packaging material or label, as the case may be.

(2) *Wordings on labels.* Each trade label to be approved for use pursuant to this section with respect to any inspected and certified edible product shall bear the true name of the edible product, the name and address of the packer or distributor thereof, and, in prominent letters and figures of uniform size, the inspection mark, as aforesaid; and the label shall also bear, in such manner as may be prescribed or approved by the Administrator, the plant number, if any, of the official plant in which such product was inspected and certified.

(3) *Labels in foreign languages.* Any trade label to be affixed to a container of any edible products for foreign commerce may be printed in a foreign language. However, the inspection mark shall appear on the label in English, but, in addition, may be literally translated into such foreign language. Each such trade label which is to be printed in a foreign language must be approved pursuant to this section.

(4) *Use of approved labels.* Trade labels approved for use pursuant to this section shall be used only for the purpose for which approved.

§ 54.12 *Supervision of marking and packaging—*(a) *Evidence of label ap-*

*proval.* No grader or inspector shall authorize the use of official identification for any graded or inspected product unless he has on file evidence that such official identification or packaging material bearing such official identification has been approved in accordance with the provisions of § 54.11.

(b) *Affixing of official identification.* (1) No official identification or any abbreviation, copy or representation thereof may be affixed to or placed on or caused to be affixed to or placed on any product or container thereof except by a grader or an inspector or under the supervision of a grader or an inspector or other person authorized by the Administrator. All such products shall have been inspected and certified, or graded, or both. The grader or inspector shall have supervision over the use and handling of all material bearing any official identification.

(2) Each container of inspected and certified edible products to be shipped from one official plant to another official plant for further processing shall be marked for identification and shall show the following information:

(i) The name of the inspected and certified edible products in the container;

(ii) The name and address of the packer or distributor of such product;

(iii) The net weight of the container;

(iv) The inspection mark permitted to be used pursuant to the regulations in this part, unless the containers are sealed or otherwise identified in such manner as may be approved by the Administrator; and

(v) The plant number of the official plant where the products were packed.

(c) *Packaging.* No container which bears or may bear any official identification or any abbreviation or copy or representation thereof may be filled in whole or in part except with edible products which were inspected and certified or graded or both and are at the time of such filling, sound, wholesome and fit for human food. All such filling of containers shall be under the supervision of an inspector or grader.

§ 54.13 *Retention labels.* An inspector or grader may use such labels, devices and methods as may be approved by the Administrator for the identification (a) of products which are held for further examination, and (b) all equipment and utensils which are to be held for proper cleaning.

§ 54.14 *Prerequisites to grading and inspection.* Grading and inspection of products shall be rendered pursuant to the regulations in this part and under such conditions and in accordance with such methods as may be prescribed or approved by the Administrator.

§ 54.15 *Accessibility of products.* Each product for which grading service or inspection service is requested shall be so arranged so as to permit adequate determination of its class, quality, quantity, and condition as the circumstances may warrant.

§ 54.16 *Time of grading or inspection in an official plant.* The grader or inspector who is to perform the grading



or inspection in an official plant shall be informed, in advance, by the applicant of the hours when such grading or inspection is desired. Graders and inspectors shall have access at all times to every part of any official plant to which they are assigned.

§ 54.17 *Report of inspection work and grading work.* Reports of the work of inspection and grading carried on within official plants shall be forwarded to the Administrator by the inspector and grader in such manner as may be specified by the Administrator.

(a) *Information to be furnished to inspectors and graders.* When inspection service or grading service is performed within an official plant, the applicant for such inspection or grading shall furnish to the inspector or grader rendering such service such information as may be required for the purposes of this section.

(b) *Reports of violations.* Each inspector and each grader shall report, in the manner prescribed by the Administrator, all violations of and noncompliance with the act and the regulations in this part of which he has knowledge.

§ 54.18 *Fees and charges.*—(a) *Payment of fees and charges.* (1) Fees and charges for any grading or inspection shall be paid by the applicant for the service in accordance with the applicable provisions of this section and, if so required by the Administrator, such fees and charges shall be paid in advance.

(2) Fees and charges for any grading or inspection performed by any grader or inspector who is a salaried employee of the Department shall, unless otherwise required pursuant to subparagraph (3) of this paragraph, be paid by check, draft, or money order payable to the Treasurer of the United States and remitted promptly to the Administration.

(3) Fees and charges for any grading or inspection pursuant to a cooperative agreement with any State or person shall be paid in accordance with the terms of such cooperative agreement.

(b) *Grading service on a fee basis.* (1) Unless otherwise provided in this part the fees to be charged and collected for any grading service (other than for an appeal grading) on a fee basis shall be based on the applicable rates specified in paragraph (d) of this section.

(2) In the event the aforesaid applicable rates specified in paragraph (d) of this section are deemed by the Administrator to be inadequate fully to reimburse the Administration for all costs and other items paid or incurred by the Administration in connection with such service, the fees for such service shall not be based on the rates specified in paragraph (d) of this section, but shall be based on the time required to perform such service and the travel of each grader at the rate of \$3.00 per hour for the time actually required.

(3) If an applicant requests that any grading service be performed on a holiday or a non-work day, he may be charged for such service at a rate one and one-half times the rate which would otherwise be applicable for such service if

performed on a day other than on a holiday or non-work day.

(c) *Fees for appeal grading.* The fees to be charged for any appeal grading shall be double the fee specified in the grading certificate from which the appeal is taken: *Provided*, That the fee for any appeal grading requested by the United States, or any agency or instrumentality thereof, shall be not more than that set forth in the grading certificate from which the appeal is taken. If the fee on the certificate from which the appeal is taken is based on a contract, then the fee for such appeal grading shall be double the amount specified in paragraph (d) of this section for the applicable volume of product appeal graded. If the result of any appeal grading discloses that a material error was made in the grading appealed from, no fee shall be required.

(d) *Domestic rabbits grading fees.* For each grading of any lot of domestic rabbits, whether live or ready-to-cook, the following fees shall be applicable:

For 500 pounds or less.....	\$1.50
For 501 to 1,000 pounds, inclusive....	2.25
For 1,501 to 3,000 pounds, inclusive....	3.00
For 3,001 to 6,000 pounds, inclusive....	4.00
For 6,001 to 10,000 pounds, inclusive....	6.00
For 10,001 to 20,000 pounds, inclusive....	10.00
For each additional 10,000 pounds, or fraction thereof, in excess of 20,000 pounds.....	3.00

(e) *Inspection service on a fee basis.* Fees to be charged and collected for inspection services furnished on a fee basis shall be based on the time required to render such services including, but not being limited to, the time required for the travel of the inspector or inspectors in connection therewith, at the rate of \$3.25 per hour for each inspector for the time actually required.

(f) *Fees for additional copies of grading certificates and inspection certificates.* Additional copies other than those provided for in § 54.27 and § 54.32 of any grading certificates or inspection certificates, may be supplied to any interested party upon payment of a fee of \$1.00 for each set for five or fewer copies.

(g) *Traveling expenses and other charges.* Charges may be made to cover the cost of traveling and other expenses incurred by the Administration in connection with the performance of any grading service or inspection service.

(h) *On a contract basis.* Fees to be charged and collected for any grading service or inspection service, other than for an appeal grading, on a contract basis shall be those provided for in such contract. The fees to be charged for any appeal grading shall be as provided in paragraph (c) of this section.

(i) *Fees for grading service or inspection service performed under cooperative agreement.* The fees to be charged and collected for any grading service or inspection service performed under cooperative agreement shall be those provided for by such agreement.

(j) *Disposition of fees for inspection made under cooperative agreement.* Fees for inspection under a cooperative agreement with any State or person shall be disposed of in accordance with the terms of such agreement. Such

portion of the fees collected under a cooperative agreement as may be due the United States shall be remitted to the Administration.

#### INSPECTION

§ 54.19 *Manner of handling products in an official plant.* Unless otherwise specified in the regulations in this part by the Administrator, products which are to be further processed under inspection in an official plant shall be prepared and handled in such official plant only in such manner as may be prescribed or approved by the Administrator and under the supervision of an inspector.

§ 54.20 *Ante-mortem inspection.* Ante-mortem examination of domestic rabbits is required as a prerequisite to any inspection; and such ante-mortem examination shall be carried out under such conditions and in accordance with such methods as may be prescribed or approved by the Administrator.

§ 54.21 *Evisceration.* No viscera or any part thereof shall be removed from any domestic rabbits which are to be processed under inspection in any official plant, except at the time of evisceration and inspection. Each carcass to be eviscerated shall be opened so as to expose the organs and the body cavity for proper examination by the inspector and shall be prepared immediately after inspection as ready-to-cook domestic rabbit.

§ 54.22 *Carcasses held for further examination.* Each carcass, including all parts thereof, in which there is any lesion of disease, or other condition, which might render such carcass or any part thereof unfit for human food, and with respect to which a final decision cannot be made on first examination by the inspector, shall be held for further examination. The identity of each such carcass, including all parts thereof, shall be maintained until a final examination has been completed.

§ 54.23 *Condemnation and treatment of carcasses.* Each carcass, or any part thereof, which is found to be unsound, unwholesome, or otherwise unfit for human food shall be condemned by the inspector and shall receive such treatment, under the supervision of the inspector as will prevent its use for human food and preclude dissemination of disease through consumption by animals.

§ 54.24 *Certification of carcasses.* Each carcass and all parts and organs thereof which are found by the inspector to be sound, wholesome, and fit for human food shall be certified as provided in this part.

§ 54.25 *Reinspection of edible products.* (a) Any inspected and certified edible product may be brought into an official plant only if the container of such product is marked for identification in the manner prescribed in § 54.12 (b) (2) and the product is reinspected by an inspector at the time it is brought into such plant. Upon reinspection, if any such product or portion thereof is found to be unsound, unwholesome, or otherwise unfit for human food, such product, or portion thereof, shall be condemned



and shall receive such treatment as that provided in § 54.23.

(b) Any product which is prepared under inspection in an official plant shall be inspected in such plant as often as the inspector deems it necessary in order to ascertain whether such product is sound, wholesome, and fit for human food at the time such product leaves such plant. Upon any such inspection, if any such product or portion thereof is found to be unsound, unwholesome, or otherwise unfit for human food, such product or portion thereof shall be condemned and shall receive such treatment as that provided in § 54.23.

(c) All substances and ingredients used in the manufacture or preparation of any edible product shall be clean, sound, wholesome, and fit for human food.

§ 54.26 *Appeal inspection; how made.* Any interested party may, if dissatisfied with any decision of an inspector relating to any inspection, file an appeal from such decision. Any such appeal from a decision of an inspector shall be made to his immediate superior having jurisdiction over the subject matter of the appeal. Review of such appeal findings, when requested, shall be made by the immediate superior of the employee of the Department making the appeal inspection.

§ 54.27 *Inspection certificates; issuance and disposition—(a) Issuance and disposition of domestic rabbits inspection certificates.* (1) Upon the request of an interested party, any inspector is authorized to issue a domestic rabbit inspection certificate with respect to any lot of dressed domestic rabbits inspected by him. Each certificate shall be signed by the inspector who made the inspection covered by the certificate, and if more than one inspector participated in the inspection of the lot of domestic rabbits, each such inspector shall sign the certificate with respect to such lot.

(2) The original of each inspection certificate, issued pursuant to this section, and not to exceed three copies thereof, shall, immediately upon issuance, be delivered or mailed to the applicant or person designated by him. One copy shall be filed in the office of the regional supervisor serving the area in which the inspection was performed, and the remaining copies to be disposed of in such manner as the Administrator may approve. Additional copies of any such certificate may be furnished to any interested party as provided in § 54.18.

(b) *Food product inspection certificates; issuance and disposition.* (1) Upon the request of an interested party, any inspector is authorized to issue a food product inspection certificate with respect to any inspected and certified edible product after suitable examination of the product has been made by the inspector.

(2) The original of each food product inspection certificate, and not to exceed two copies thereof, if requested, shall, immediately upon issuance, be delivered or mailed to the applicant or person designated by him. Another copy shall be filed in the office of the regional super-

visor serving the area in which such certificate was issued, and one copy shall be forwarded to the Administrator. The last named two copies shall be retained until otherwise ordered by the Administrator.

(c) *Export certificates; issuance and disposition.* (1) Upon the request of an exporter, any inspector is authorized to issue an export certificate with respect to the shipment to any foreign country of any inspected and certified edible product after suitable examination of the product has been made by the inspector.

(2) Each export certificate shall be issued in quintuplicate; the original shall be delivered to the exporter who requested such certificate; and the duplicate copy shall be delivered to the agent of the railroad or other carrier transporting such products from the United States. The triplicate copy of such export certificate shall be forwarded to the Administrator; the quadruplicate copy shall be filed in the office of the regional supervisor serving the area in which such export certificate was issued and the memorandum copy shall be retained by the inspector for filing. The last named three copies shall be retained until otherwise ordered by the Administrator.

#### GRADING

§ 54.28 *General.* Grading service performed with respect to any quantity of products shall, as the case may require, be on the basis of an examination, pursuant to the regulations in this part, of each unit thereof or of each unit in the representative sample thereof drawn by a grader. Whenever the grading service is performed on a representative sample basis, such sample shall be drawn and consist of not less than the minimum number of containers as indicated in the following table.

[Minimum number of containers comprising a representative sample]

Containers in lot:	Containers in sample
3 containers, or less.....	( <sup>1</sup> )
4 to 10, inclusive.....	3
11 to 20, inclusive.....	4
21 to 50, inclusive.....	7
51 to 100, inclusive.....	10
In excess of 100 containers.....	( <sup>2</sup> )

<sup>1</sup> All containers.

<sup>2</sup> 10 percent of the number of containers in the lot.

§ 54.29 *Live domestic rabbits.* Grading service performed with respect to any quantity of live domestic rabbits shall, as the case may require, be on the basis of an examination, pursuant to regulations in this part, of each unit thereof or of each unit in the representative sample thereof drawn by a grader. Such domestic rabbits may be identified with official identification on a lot basis only.

§ 54.30 *Ready-to-cook domestic rabbits—(a) In an official plant.* Grading service performed in an official plant with respect to ready-to-cook domestic rabbits shall, as the case may require, be on the basis of each individual carcass or on a representative sample basis.

(1) Only such ready-to-cook domestic rabbits which have been inspected and certified, pursuant to the regulations in

this part, or have been inspected and passed by any other official inspection system which is acceptable to the Administrator, may be graded.

(2) Only such ready-to-cook domestic rabbits which were graded on an individual carcass basis and are of A Quality or B Quality may be individually identified with the appropriate grade mark, and any container of such ready-to-cook domestic rabbits may also be so identified. The grading of ready-to-cook domestic rabbits shall be performed prior to the disjuncting or cutting up of the respective carcass.

(3) If the ready-to-cook domestic rabbits are of C Quality only the bulk container of such ready-to-cook domestic rabbits may be identified with the appropriate grade mark even though the grading may have been performed on an individual carcass basis.

(b) *At terminal markets and other receiving points.* Grading service performed with respect to ready-to-cook domestic rabbits at terminal markets and other receiving points may be on a representative sample basis. Only such ready-to-cook domestic rabbits which were processed in an official plant and are graded on an individual carcass basis may be individually identified with a grade mark. Only ready-to-cook domestic rabbits which were inspected and certified and are marked with the inspection mark or in accordance with the provisions of § 54.12 (b) (2) may be graded.

§ 54.31 *Basis of acceptability of other official inspection systems—(a) General.* Any domestic rabbit inspection system may be deemed to be acceptable to the Administrator which (1) is conducted under the authority of laws, ordinances, or similar enactments of the State, county, city, or other political subdivision in which is located the official plant at which the ready-to-cook domestic rabbits are prepared and submitted for grading service; and (2) imposes at least the requirements set forth in paragraph (b) of this section: *Provided*, That no such inspection shall be deemed acceptable to the Administrator with respect to any official plant in which ready-to-cook domestic rabbits are prepared if he finds at any time that such requirements are not adequately enforced.

(b) *Requirements as to manner of inspection.* (1) The inspection shall be conducted by an inspector who is a qualified veterinarian or under the supervision of a qualified veterinarian. All such inspectors shall be employed by the State, county, city, or other political subdivision in which the official plant is located.

(2) The inspection shall include post-mortem examination of each domestic rabbit carcass during the evisceration operation.

(3) All carcasses which show evidence of disease or any other condition which may render them unwholesome or unfit for food shall be condemned and shall be destroyed for food purposes under the supervision of an inspector. Each carcass and part thereof which has been inspected and passed or containers of carcasses or parts thereof shall bear the



identifying inspection symbol of the other official inspection system and the marking devices or labels shall be in the custody of the inspector at all times.

(c) *Determining compliance with paragraph (b) of this section.* A qualified veterinary supervisor of the domestic rabbit grading service of the Administration shall investigate the manner of operation of the inspection system to determine the adequacy of the post-mortem examination and the compliance with the requirements contained in this section prior to approving the official plant for the grading of ready-to-cook domestic rabbits. This supervisor as well as any official graders who may be stationed in the official plant shall periodically observe the inspection operations in the official plant to determine that the requirements of this section are being met. If at any time the inspector fails to enforce the requirements as set forth in the inspection system, grading service may be withdrawn from the official plant.

§ 54.32 *Certificates*—(a) *Issuance.* Each grader shall issue a grading certificate covering each product graded.

(b) *Disposition.* The original of each grading certificate, issued pursuant to this section, and not to exceed three of the copies thereof, shall, immediately upon issuance, be delivered or mailed to the applicant or person designated by him. One copy shall be filed in the office of grading serving the area in which the grading service was performed, and the remaining copies shall be disposed of in such manner as the Administrator may approve. Additional copies of any such certificate may be furnished to any interested party as provided in § 54.18 (f).

§ 54.33 *Application for regrading of a graded product; regrading certificates*—(a) *Application for regrading of a graded product.* An application for a regrading of any previously graded product may be made at any time by any interested party, and such application shall clearly state the reasons for requesting the regrading. The provisions of the regulations relative to grading service shall apply to regrading service.

(b) *Regrading certificates.* Immediately after a regrading has been completed, a regrading certificate shall be issued showing the results of such regrading; and such certificate shall thereupon supersede, as of the time of issuance of the regrading certificate, the grading certificate previously issued for the product involved. Each regrading certificate shall clearly set forth the number and date of the grading certificate which it supersedes. The provisions of § 54.10 and § 54.32 shall, whenever applicable, also apply to regrading certificates except that copies of such regrading certificates shall be furnished each interested party of record.

§ 54.34 *Appeal grading*—(a) *Application for appeal grading.* An application for an appeal grading may be made by any interested party who is dissatisfied with any determination stated in any grading certificate only if the identity of the product, or representative sample

thereof, on the basis of which a determination was made has not been lost, and such application for the appeal grading is made within two days following the day on which the grading was performed. Upon approval by the Administrator, the time within which an application for an appeal grading may be made may be extended.

(b) *How to obtain appeal grading.* Appeal grading may be obtained by filing a request therefor (1) with the Administrator, (2) with the grader who issued the grading certificate with respect to which the appeal grading is requested, (3) with the immediate superior of such grader, or (4) with the officer in charge of any office of grading. The application for appeal grading shall clearly state the reasons therefor and may be accompanied by a copy of the aforesaid grading certificate or any other information the applicant may have secured regarding the product, at the time of grading, from which the appeal is requested. Such application may be made orally (in person or by telephone), in writing, or by telegraph. If made orally, written confirmation may be required.

(c) *Record of filing time.* A record showing the date and hour when each such application for appeal grading is received shall be maintained in such manner as the Administrator may prescribe.

(d) *When an application for an appeal grading may be refused.* Notwithstanding the provisions of paragraph (a) of this section, if it appears to the Administrator that the reasons for an appeal grading are frivolous or not substantial, or that the quality or condition of the products has undergone a material change since the grading from which the appeal is made, or the identical products that were examined to ascertain the grade thereof cannot be made accessible for reexamination, or the act or regulations in this part have not been complied with, the Administrator may refuse the applicant's request for the appeal grading, and such applicant shall be promptly notified of the reason for such refusal.

(e) *When an application for appeal grading may be withdrawn.* An application for appeal grading may be withdrawn by the applicant at any time before the appeal grading is made upon payment, by the applicant, of all expenses incurred by the Administration in connection with such application.

(f) *Who shall perform the appeal grading.* An appeal grading of any graded product shall be made by any grader (other than the one from whose grading the appeal is made) designated for this purpose by the Administrator; and, whenever practical, such appeal grading shall be conducted jointly by two such graders.

(g) *Appeal grading by immediate superior.* Notwithstanding the provisions of this section, whenever the immediate superior of a grader has evidence that such grader incorrectly graded a product, such superior shall immediately make a regrading of the product.

(h) *Order of performance of appeal gradings.* Appeal gradings shall be per-

formed, insofar as practical, in the order in which applications therefor are received; but any such application may be given precedence pursuant to § 54.4.

(i) *Appeal grading certificates.* Immediately after an appeal grading has been completed, an appeal grading certificate shall be issued showing the results of such appeal grading. Such certificate shall thereupon supersede the grading certificate for the product involved and such supersedure shall be effective as of the time of issuance of the grading certificate with respect to which the appeal is made. Each appeal grading certificate shall clearly set forth the number and the date of the grading certificate which it supersedes. The provisions of § 54.10 and § 54.32 shall, whenever applicable, also apply to appeal grading certificates except that copies of such appeal grading certificates shall be furnished each interested party of record.

§ 54.35 *Superseded certificates.* Whenever any grading certificate is superseded in accordance with the regulations in this part such certificate shall become null and void as of the effective time of supersedure. If the original and all copies of such superseded certificate are not delivered to the person issuing the regrading certificate or appeal grading certificate, he shall notify such persons as he considers necessary to prevent fraudulent use of the superseded certificate.

#### SANITARY REQUIREMENTS

§ 54.36 *Minimum standards for sanitation, facilities, and operating procedures in official plants.* Except as otherwise provided in this part the provisions of this section shall apply with respect to grading service and inspection service in all official plants. The table set forth in this section indicates some of the types of material which may be used in the construction of equipment, utensils and facilities for use in the plant.

(a) *Buildings and plant facilities* (1) The buildings shall be of sound construction and kept in good repair, and shall be of such construction as to prevent the entrance or harboring of rodents:

(1) Outside openings: (a) The doors, windows, skylights and other outside openings of the plant, except receiving rooms and live rabbit holding rooms, shall be protected by properly fitted screens and other suitable devices, against the entrance of flies and other insects.

(b) Outside doors, except in receiving rooms and live rabbit holding rooms shall be self-closing and so hung that not over ¼ inch clearance remains when closed. Screen doors shall open toward the outside of the building.

(2) Rooms and compartments used for edible products shall be separate and distinct from inedible products departments and from rooms where rabbits are slaughtered and skinned. Separate rooms shall be provided when required and all rooms shall be of sufficient size to permit the installation of the necessary equipment for processing operations



and the conduct of such operations in a sanitary manner.

(i) The official plant should have separate rooms for each of the following operations depending upon the various types of operations conducted; but in no case shall the receiving or holding of live rabbits or killing operations be permitted in rooms in which eviscerating operations are performed:

(a) The receiving and feeding of live rabbits.

(b) Killing and skinning operations.

(c) Eviscerating, chilling, and packing operations for ready-to-cook rabbits.

(d) Inedible products departments.

(e) Refuse room.

(ii) Rooms and compartments in which carcasses or parts thereof are held for further inspection shall be in such number and such location as the needs of the inspection in the plant may require. They shall be equipped with locks and keys and the keys shall not leave the custody of the inspector in charge of the plant. All such rooms and compartments shall be marked conspicuously with the word "retained" in letters not less than 2 inches high.

(iii) Coolers and freezers: Coolers and freezers of adequate size and capacity shall be provided to reduce the internal temperature of ready-to-cook domestic rabbits prepared and otherwise handled in the plant to 36° F. within 24 hours unless other cooling facilities are available.

(iv) Refuse rooms: Refuse rooms shall be entirely separate from other rooms in the plant, and shall have tight fitting doors and be properly ventilated.

(v) Storage and supply rooms: The storage and supply rooms shall be in good repair, kept dry, and maintained in a sanitary condition.

(vi) Boiler room: The boiler room shall be a separate room, if necessary, to prevent its being a source of dirt and objectionable odors entering any room where ready-to-cook rabbits are prepared, processed, handled and stored.

(vii) Inspector's office: Furnished office space, including, but not being limited to, light, heat and janitor service shall be provided rent free in the official plant, for the exclusive use for official purposes of the inspector or grader and the Administration. The room or rooms set apart for this purpose must meet with the approval of the regional supervisor and be conveniently located, properly ventilated and provided with lockers or cabinets suitable for the protection and storage of supplies and with facilities suitable for inspectors and graders to change clothing.

(viii) No toilet rooms shall open directly into any room where domestic rabbit products are exposed and each such room shall be provided with self-closing doors.

(3) The floors, walls, ceilings, partitions, posts, doors and other parts of all compartments shall be of such material, construction, and finish as will make them susceptible of being readily and thoroughly cleaned:

(i) Floors. (a) All floors, except those which are kept dry, shall be constructed of hardened concrete, or of tile laid

closely together with impervious joint material, or of other similar impervious material and kept in good repair.

(b) All floors except those which are kept dry shall be graded to permit run-off with no standing water and in new construction and renovated plants the pitch shall be not less than 1/4 inch per foot to drains.

(ii) Ceilings and walls. (a) Ceilings and walls shall have tiled, enameled, or other smooth surface impervious to moisture.

(b) Cooler and freezer rooms shall have interior surfaces as are impervious to moisture and permit thorough cleaning.

(iii) Blood disposal. (a) Adequate facilities shall be provided for the disposal of blood in a sanitary manner.

(b) When bleeding troughs are used they shall be long enough to catch the blood during the bleeding process and shall be cleaned daily. Such troughs shall be installed so as to pitch at least 1/2 inch per foot toward a smooth metal catch basin or basins, of sufficient capacity for a day's operation at peak production, or shall be flushed continuously.

(4) There shall be an efficient drainage and plumbing system for the plant and premises:

(i) All drains and gutters shall be properly installed with approved traps and vents. The drainage and plumbing system must permit the quick run-off of all water from plant buildings, and surface water around the plant and on the premises; and all such water shall be disposed of in such a manner as to prevent a nuisance or health hazard.

(ii) Sewerage and plant wastes. (a) The sewerage system shall have adequate slope and capacity to remove readily all waste from the various processing operations and to minimize, and if possible to prevent, stoppage and surcharging of the system.

(b) Catch basins which are connected with the sewerage system shall be suitably located but not near any edible products department or in any area where products are unloaded from, or loaded into, vehicles. To facilitate cleaning such basins shall have inclined bottoms and be provided with suitable covers.

(c) Toilet soil lines shall be separate from house drainage lines to a point outside the buildings; and drainage from toilet bowls and urinals shall not be discharged into a grease catch basin.

(d) All floor drains shall be equipped with traps, constructed so as to minimize clogging; and the plumbing shall be so installed as to prevent sewerage from backing up and from flooding the floor.

(e) Floor drainage lines should be of metal and at least 4 inches in diameter and open into main drains of at least 8 inches in diameter and shall be properly vented to outside air.

(f) Where refrigerators are equipped with drains, such drains should be properly trapped and should discharge through an air gap into the sewer system. All new installations, and all replacements, of refrigerators equipped with drains shall meet these requirements.

(5) The water supply shall be ample, clean, and potable with adequate facilities for its distribution in the plant, and its protection against contamination and pollution:

(i) Hot water at a temperature not less than 180° F. shall be available for sanitation purposes.

(ii) Hose connections with steam and water mixing valves or hot water hose connections shall be provided at convenient locations throughout the plant for cleaning purposes.

(iii) The refuse rooms shall be provided with a hot water supply and adequate facilities for washing refuse cans and other equipment in the rooms; and the rooms, cans, and equipment shall be cleaned after each day's use.

(6) Modern lavatory accommodations, and properly located facilities for cleaning utensils and hands shall be provided:

(i) Adequate lavatory and toilet accommodations, including, but not being limited to, running hot water and cold water, soap, and towels, shall be provided. Such accommodations shall be in or near toilet and locker rooms and also at such other places in the plant as may be essential to the cleanliness of all personnel handling products.

(ii) Sufficient self-closing metal containers shall be provided for used towels and other wastes.

(iii) The water supply in all hand washing facilities shall be operated by foot pedal or knee control, or shall be of a continuous-flow type.

(iv) Durable signs shall be posted conspicuously in each toilet room and locker room directing employees to wash their hands before returning to work.

(v) Toilet facilities shall be provided according to the following formula:

Persons of same sex:	Toilet bowls required
1 to 15, inclusive.....	1
16 to 35, inclusive.....	2
36 to 55, inclusive.....	3
56 to 80, inclusive.....	4
For each additional 30 persons in excess of 80.....	1

<sup>1</sup>Urinals may be substituted for toilet bowls but only to the extent of 1/3 of the total number of bowls stated.

(7) There shall be ample light, either natural or artificial or both, of good quality and well distributed, and sufficient ventilation for all rooms and compartments to insure sanitary conditions:

(i) All rooms in which domestic rabbits are killed, eviscerated, or otherwise processed shall have at least 10 foot-candles of light intensity on all working surfaces except that at the grading and inspection stations such light intensity shall be 50 foot-candles. In all other rooms there shall be provided at least 4 foot-candles of light intensity when measured at a distance of 30 inches from the floor.

(ii) All rooms shall be adequately ventilated to eliminate objectionable odors and minimize moisture condensation.

(b) Equipment and utensils. (1) Equipment and utensils used for the preparation, processing, or otherwise handling any product in the plant shall be suitable for the purpose intended and



shall be of such material and construction as will facilitate their thorough cleaning and insure cleanliness in the preparation and handling of products:

(i) Live rabbit holding pens shall be so constructed as to allow satisfactory ante-mortem examination and to permit proper cleaning.

(ii) Metal refuse containers shall be provided; and such containers shall be kept covered.

(iii) Insofar as it is practical, equipment and utensils shall be made of metal or other impervious material. Trucks and receptacles used for handling inedible products shall be of similar construction and shall be conspicuously and distinctly marked and shall not be used for handling any edible products.

(iv) Chilling vats: (a) Chilling vats or tanks used for chilling ready-to-cook domestic rabbits shall be made of metal or other hard-surfaced impervious material.

(v) Grading and packing bins: (a) Where grading bins are used for ready-to-cook domestic rabbits they shall be of sufficient number and capacity to handle the grading adequately without the use of makeshift bins and all ready-to-cook domestic rabbits shall be kept off the floor. Grading bins may be made of metal or enameled wood and shall be constructed and maintained in such a manner as to allow easy and thorough cleaning. All replacements of such bins shall, however, be of metal.

(vi) All equipment and utensils used in the killing, skinning, and the eviscerating, chilling, and packing rooms shall be of metal or other impervious material and constructed so as to permit proper and complete cleaning.

(vii) Conveyors: (a) Conveyors used in the preparation of ready-to-cook domestic rabbits shall be of metal and of such construction as to permit thorough and ready cleaning and easy identification of viscera with its carcass.

(b) Overhead conveyors shall be so constructed and maintained that they do not allow grease, oil or dirt to accumulate on the drop chain or shackle, which shall be of non-corrosive metal.

(c) Non-metallic belt-type conveyors used in moving edible products shall be of water-proof composition.

(viii) Inspection, eviscerating, and cutting tables shall be made of metal and have coved corners and be so constructed and placed to permit thorough cleaning.

(ix) In plants where no conveyors are used, each carcass shall be eviscerated in an individual metal tray of seamless construction.

(x) Water spray washing equipment shall be used for washing carcasses inside and out.

(xi) Watertight metal receptacles shall be used for entrails and other waste resulting from preparation of ready-to-cook domestic rabbits.

(xii) Watertight trucks and receptacles for holding or handling diseased carcasses and diseased parts of carcasses shall be so constructed as to be readily and thoroughly cleaned; such trucks and receptacles shall be marked in a conspicuous manner with the word "condemned" in letters not less than 2

inches high and, when required by the inspector in charge, shall be equipped with facilities for locking and sealing.

(xiii) Freezing rooms should be adequately equipped to freeze ready-to-cook domestic rabbits solid in less than 48 hours. Ready-to-cook domestic rabbits should be frozen at temperatures of  $-10^{\circ}\text{F.}$  to  $-40^{\circ}\text{F.}$  and should be stored at  $0^{\circ}\text{F.}$  or below, with the temperature maintained as constant as possible. Freezing rooms should be equipped with floor racks or pallets and fans to insure air circulation.

(xiv) Cooling racks should be made of metal and be readily accessible for thorough washing and cleaning. All replacements of cooling racks shall be made of metal.

(xv) Trucks and receptacles in which carcasses or parts thereof are held for further inspection shall be in such number and such location as the needs of the inspection in the plant may require. They shall be equipped for locking by means of lock and key and the key shall not leave the custody of the inspector in charge of the plant. Such trucks and receptacles shall be marked conspicuously with the word "retained" in letters not less than 2 inches high.

(2) All equipment shall be so placed as to be readily accessible for all processing and cleaning operations.

(3) Equipment and utensils used in the official plant shall not be used outside the official plant except under such conditions as may be prescribed or approved by the national supervisor, and equipment used in the preparation of any article (including, but not being limited to, animal food), from inedible material shall not be used outside of the inedible products department except under such conditions as may be prescribed or approved by the national supervisor.

(c) *Maintenance of sanitary conditions and precautions against contamination of products.* (1) The premises shall be kept free from refuse, waste materials, and all other sources of objectionable odors.

(2) Rooms, compartments, or other parts of the official plant shall be kept clean and in sanitary condition:

(i) All blood, offal, rabbits or parts of rabbits too severely damaged to be salvaged and all discarded containers and other materials shall be completely disposed of daily.

(ii) All windows, doors, and light fixtures in the official plant shall be kept clean.

(iii) All docks and rooms shall be kept clean and free from debris and unused equipment and utensils.

(iv) Live rabbit receiving docks and receiving rooms shall be of such construction as readily to permit their thorough cleaning; and such docks and rooms should be kept clean at all times.

(v) Floors in live rabbit holding rooms shall be thoroughly cleaned and with such regularity as may be necessary to maintain them in a sanitary condition.

(vi) The killing and skinning room shall be kept clean and free from offensive odors at all times.

(vii) The walls, floors, and all equipment and utensils used in the killing and

skinning room shall be thoroughly washed and cleaned after each day's operation.

(viii) The floors, in the killing and skinning room shall be cleaned frequently during killing and skinning operations and be kept reasonably free from accumulated blood, offal, water and dirt.

(ix) All equipment in the toilet room and locker room, as well as the room itself, shall be kept clean, sanitary, and in good repair.

(x) Cooler and freezer rooms shall be free from objectionable odors of any kind and shall be maintained in a sanitary condition (including, but not being limited to, the prevention of drippings from refrigerating coils onto products).

(3) Equipment and utensils used for preparing or otherwise handling any product shall be kept clean and in a sanitary condition and in good repair:

(i) Pens shall be cleaned regularly and the manure removed from the plant daily.

(ii) All equipment and utensils used in the killing and skinning rooms shall be thoroughly washed and cleaned after each day's operation. The eviscerating, chilling, and packing room and equipment and utensils used therein shall be maintained in a clean and sanitary condition.

(iii) Graders' and packers' gloves and grading bins shall be washed daily and used only for grading or packing, as the case may be.

(iv) All crates or pens used for transporting live domestic rabbits to the plant shall be cleaned regularly.

(v) Chilling vats or tanks, if practicable, shall be emptied after each use. They shall be thoroughly cleaned once daily, and after each cleaning operation they shall be sanitized with such compounds or by such methods as may be approved or prescribed by the Administrator.

(vi) When synchronized overhead conveyors and tray conveyors are used, the trays shall be completely washed and sanitized after being automatically emptied of inedible viscera.

(vii) When a conveyor tray operation is used, each carcass shall be eviscerated in an individual metal tray of seamless construction; and such trays shall be completely washed and sanitized after each use.

(viii) Tables, shelves, bins, trays, pans, knives, and all other tools and equipment used in the preparation of ready-to-cook domestic rabbits shall be kept clean and sanitary at all times. Cleaned equipment and utensils shall be drained on racks and shall not be nested.

(ix) Drums, cans, tanks, vats, and other receptacles used to hold or transport ready-to-cook domestic rabbits, shall be kept in a clean and sanitary condition.

(4) Operations and procedures involving the preparation, storing, or handling of any product shall be strictly in accord with clean and sanitary methods:

(i) There shall be no handling or storing of materials which create an objectionable condition in rooms, compartments, or other places in the plant where



any product is prepared, stored, or otherwise handled.

(ii) Blood from the killing operation shall be confined to a relatively small area and kept from being splashed about the room.

(iii) In the final washing, the carcass shall be passed through a system of sprays providing an abundant supply of fresh clean water.

(iv) The floors in the eviscerating room shall be kept clean and reasonably dry during eviscerating operations and free of all refuse.

(v) Conveyors shall be operated at such speeds as will permit a sanitary eviscerating operation and will permit adequate inspection for condition and wholesomeness.

(vi) Mechanized packaging equipment shall be maintained in good sanitary condition.

(vii) All offal resulting from the eviscerating operation shall be removed as often as necessary to prevent the development of a nuisance.

(viii) Paper and other material used for lining containers in which products are packaged shall be of such kinds as do not tear readily during use, but remain intact when moistened by the product.

(ix) Protective coverings shall be used for product as it is distributed from the plant as will afford adequate protection for the product against contamination by any foreign substance (including, but not being limited to, dust, dirt, and insects, considering the means intended to be employed in transporting the product from the plant.

(x) Refuse may be moved directly to loading docks only for prompt removal.

(xi) Cleanliness and hygiene of personnel: (a) All employees coming in contact with exposed edible products or edible products handling equipment shall wear clean garments and should wear caps or hair nets, and shall keep their hands clean at all times while thus engaged.

(b) Hands of employees handling edible products or edible products handling equipment shall be free of infected cuts, boils, and open sores at all times while thus engaged.

(c) Every person after each use of toilet or change of garments shall wash his hands thoroughly before returning to duties that require the handling of edible products, or containers therefor, or edible products handling equipment.

(a) Neither smoking nor chewing of tobacco shall be permitted in any room where exposed edible products are prepared, processed, or otherwise handled.

(5) Temperatures and procedures which are necessary for cooling and freezing of domestic rabbits in accordance with sound commercial practice shall be maintained in the coolers and freezers, and chilling temperatures and procedures shall also be in accordance with sound commercial practice:

(i) Cooling: Immediately after evisceration and washing of the carcass, it shall be placed in a cooling tank containing running cold tap water to remove the animal heat from the carcass. Carcasses shall not be allowed to remain in the cooling tank for longer than one hour.

(ii) Air chilling: Immediately after the initial water chilling, the carcasses shall be placed in cooling racks and thereupon placed in a refrigerated cooler with moderate air movements and a temperature which will reduce the internal temperature of the carcasses to from 36° F. to 40° F., both inclusive, within 24 hours.

(iii) Freezing. (a) When ready-to-cook domestic rabbits are packaged in bulk or shipping containers, the carcasses should be individually wrapped or packaged in water-vapor resistant cartons or the containers should be lined with heavy water-vapor resistant paper so as to assure adequate overlapping of the lining to completely surround the carcasses and to permit unsealed closure or sealing in such a manner that water-vapor loss from the product is considerably retarded or prevented. The rabbit carcasses should receive an initial rapid freezing under such packaging, temperature, air circulation, and stacking conditions which will result in freezing the carcasses solid in less than 48 hours.

(b) Frozen ready-to-cook rabbits should be stored at 0° F., or below, with temperatures maintained as constant as possible.

(iv) Immediately after packaging, all ready-to-cook domestic rabbits, other than those which are shipped from the plant in a refrigerated carrier, should be moved into the freezer, except that a period not exceeding 72 hours will be permitted for transportation and temporary holding before placing in the freezer provided such rabbits are held at not above 36° F.

(6) Every practicable precaution shall be taken to exclude flies, rats, mice, and other vermin from the official plant:

(i) Dogs, cats, and other pets shall be excluded from rooms where edible products are processed, handled, or stored.

(7) No person affected with any communicable disease (including, but not being limited to, tuberculosis) in a transmissible stage shall be permitted in any room or compartment where exposed or unpacked edible products are prepared, processed, or otherwise handled.

(8) Table showing types of materials:

Equipment, utensils, and facilities	Iron	Stainless steel and monel metal	Aluminum	Galvanized iron
Holding pens.....	A	A	A	A
Overhead conveyors.....	A	A	A	A
Conveyor track.....	A	A	A	A
Shackles.....	A	A	A	A
Shackle chain.....	A	A	A	A
Eviscerating pans.....	A	A	A	A
Inspection table.....	A	A	A	A
Inside and outside washer.....	A	A	A	A
Cooling tanks and racks.....	A	A	A	A
Utensils for handling edible products.....	A	A	A	A
Framework (of equipment).....	A	A	A	A

Key: A—Acceptable.

§ 54.37 Authority of Administrator to amend minimum standards for sanitation, facilities, and operating procedures in official plants. The Administrator is authorized to amend the provisions

in § 54.36 and such amended provisions shall be applicable to official plants.

#### SUBPART B—UNITED STATES STANDARDS FOR DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF

§ 54.101 U. S. Specifications for classes of ready-to-cook domestic rabbits. For the purpose of this section, the classes of ready-to-cook domestic rabbits are fryer rabbits and roaster rabbits. The flesh of a fryer domestic rabbit is tender and fine-grained, and of a bright pearly white color. The flesh of a roaster domestic rabbit is more firm and coarse-grained; the muscle fiber is slightly darker in color and less tender than that of a fryer domestic rabbit; and the fat may be more creamy in color than that of a fryer domestic rabbit.

(a) Fryer. A fryer is a young domestic rabbit carcass weighing not less than 1½ pounds and rarely more than 3½ pounds; and processed from a rabbit usually less than 12 weeks of age.

(b) Roaster. A roaster is a mature or old domestic rabbit carcass of any weight but usually over 4 pounds; and processed from a rabbit over 12 weeks of age, usually 8 months old or older.

§ 54.102 U. S. Specifications for standards of quality for individual ready-to-cook domestic rabbits—(a) General. Carcasses found to be unsound, unwholesome, or unfit for food shall not be included in any of the quality designations specified in this section.

(b) Standards of quality—(1) A Quality. To be of A Quality the carcass:

(i) Is short, thick, well-rounded, and full-fleshed.

(ii) Has a broad back, broad hips, and broad, deep fleshed shoulders, and firm muscle texture.

(iii) Has well-developed strips of fat extending from the neck part-way down the back, and some exterior fat well distributed over loins, shoulders, and back, and a plentiful amount of interior fat in the crotch and over the inner walls of the carcass, the kidneys being practically surrounded by thick layers of firm white fat.

(iv) Shows no evidence of coagulated blood in the veins and is free from any evidence of reddening of the flesh due to blood in the connective tissues.

(v) Is free from all foreign material (including, but not being limited to, hair, dirt, and bone particles) and from crushed bones caused by removing the head or the feet.

(vi) Is free from broken bones, flesh bruises, defects, and deformities. Ends of leg bones may be broken due to removing the feet.

(2) B Quality. To be of B Quality the carcass:

(i) Is short, thick, fairly well-rounded, and fairly well-fleshed.

(ii) Has a fairly broad back, fairly broad hips, and fairly broad and deep-fleshed shoulders, and fairly firm muscle texture.

(iii) Has fairly well developed strips of fat extending from the neck part-way down the back and some evidence of fat fairly well distributed over loins and shoulders; has interior fat that is fairly plentiful in the crotch and over the inner



## PROPOSED RULE MAKING

walls of the carcass; and has a considerable quantity of interior fat around the kidneys.

(iv) Shows no evidence of coagulated blood in the veins and is free from any evidence of reddening of the flesh due to blood in the connective tissues.

(v) Is free from all foreign material (including, but not being limited to, hair, dirt, and bone particles) and from crushed bones caused by removing the head or the feet.

(vi) Is free from broken bones and practically free from bruises, defects, and deformities. End of leg bones may be broken due to removing the feet.

(3) *C Quality*. A carcass that does not meet the requirements of B Quality may be of C Quality and such carcass:

(i) May be long, rangy, and fairly well fleshed.

(ii) May have thin, narrow back and hips, and soft flabby muscle texture.

(iii) May show very little evidence of exterior fat.

(iv) May show very slight evidence of reddening of the flesh due to blood in the connective tissues.

(v) Is free from all foreign material (including, but not being limited to, hair, dirt, and bone particles) and from crushed bones caused by removing the head or feet.

(vi) May have moderate bruises of the flesh, moderate defects, and moderate deformities; have not more than one broken bone; and may have a small

portion of the carcass removed because of serious bruises.

Issued at Washington, D. C., this 12th day of April 1951.

[SEAL] CHARLES F. BRANNAN,  
Secretary of Agriculture.

[F. R. Doc. 51-4506; Filed, Apr. 16, 1951;  
8:52 a. m.]

## FEDERAL TRADE COMMISSION

[16 CFR, Ch. 1]

[File No. 21-413]

## FLOOR WAX AND FLOOR POLISH INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO  
PRESENT VIEWS, SUGGESTIONS, OR OB-  
JECTIONS

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, firms, corporations, organizations, or other parties, including farm, labor, and consumer groups, affected by or having an interest in the proposed trade practice rules for the Floor Wax and Floor Polish Industry, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter,

memorandum, brief, or other communication, to be filed with the Commission not later than May 11, 1951. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m., May 11, 1951, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C., to any such persons, firms, corporations, organizations, or other parties, who desire to appear and to be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

Members of the industry are persons, firms, corporations and organizations engaged in manufacturing or marketing any product (except paints and lacquers, shellac, and other varnishes) which is advertised, offered for sale, or sold for use in polishing, preserving, beautifying, cleaning, or protecting floor surfaces and which, when applied to a floor, deposits thereon, after evaporation of the solvent or carrier, a solid film or coating which is substantially removable by the usual floor-cleaning methods involving the use of soaps, alkalies, or synthetic detergents in aqueous solution.

Issued: April 12, 1951.

By the Commission.

[SEAL] D. C. DANIEL,  
Secretary.

[F. R. Doc. 51-4488; Filed, Apr. 16, 1951;  
8:49 a. m.]

## NOTICES

## DEPARTMENT OF STATE

[Public Notice 94]

CLAIMS AGAINST CLOSED INSTITUTIONS IN  
JAPAN

APRIL 11, 1951.

Notice is hereby given that, according to an announcement by the Closed Institutions Liquidating Commission, an agency of the Japanese Government, claims arising outside Japan against closed financial institutions in Japan, except the claims of depositors, debenture holders, and stockholders, must be filed with that Commission no later than July 16, 1951, in order that payment may be made to the extent permitted by the realization of available assets in Japan. Payment can currently be made only in yen, and recipients who desire the conversion of yen into foreign exchange will be required to follow procedures established by the Japanese Foreign Exchange Control and Foreign Trade Control Law.

Depositors, debenture holders, and stockholders of closed financial institutions in Japan are specifically requested not to file their claims with the Commission since these claims are already a matter of record with the Commission and will be paid in accordance with the Commission's procedures.

A complete list of the institutions against which claims may be filed ap-

pears in the Official Gazette of the Japanese for January 24, 1951, No. 1446, English language edition. Copies of the Official Gazette are available in the United States in approximately two hundred and twenty-five college, university, and public libraries, and other public and semi-public institutions. In addition, copies of this issue of the Official Gazette are being made available to field offices of the United States Department of Commerce.

Claims and inquiries concerning claims, including questions relating to the procedures to be followed in filing claims, must be addressed directly to the Closed Institutions Liquidating Commission, Tokyo Office, Sanwa Building, No. 2, Marunouchi 1-chome, Chiyoda-ward, Tokyo, Japan, or to the Osaka office of the Commission, Bank of Tokyo, Osaka Branch Building, No. 5 Kitahama 5-chome, Higashi-ward, Osaka, except that correspondence regarding claims against the Taihei Lumber Co., Ltd., should be sent to the C. I. Taihei Lumber Co., Ltd., Liquidation Office, No. 7 Komagata 1-chome, Aoshima, Daito-ward, Tokyo, and correspondence regarding claims against the Japan Publications Distributing Co., Ltd., should be sent to the Liquidation Office of that company, at No. 9 Awaji-cho 2-chome, Kanda, Chiyoda-ward, Tokyo.

Information regarding claims and related matters cannot be furnished to

claimants by the Department of State, the United States Political Adviser for Japan, or the General Headquarters of the Supreme Commander for the Allied Powers. Interested persons should, therefore, refrain from addressing inquiries of this type to any one of these agencies.

The Closed Institutions Liquidating Commission of Japan has indicated that the claim statement should contain the following information:

(a) Name of the closed institution against which claim is to be filed.

(b) Name and location of the office against which claim originated.

(c) Date at which claim originated.

(d) Description of claim, with full particulars. Principal and interest should be clearly distinguished, and the period for which interest is calculated should be stated.

(e) Description and present location of any public bonds, debentures, stocks, shares, or other items which were offered as security.

(f) Listing and description of any documentary evidence (deeds, passbooks, contracts, certificates, acknowledgment of claims, etc.) which claimant may wish to attach in verification of his claim.

(g) Amount of claim. If the claim is expressed in a foreign currency, it should be stated only in that particular foreign currency, without recalculating to yen or other currencies.



(h) The claimant may submit any other information which he considers necessary.

(i) The claim should include the full name and address of the creditor, and a statement along the following lines: "The undersigned hereby declares that the statement given above is true and correct, and acknowledges that no payment or settlement of the above-mentioned claims has been made up to the present."

For the Secretary of State.

DEAN RUSK,  
Assistant Secretary.

[F. R. Doc. 51-4469; Filed, Apr. 16, 1951;  
8:45 a. m.]

## DEPARTMENT OF DEFENSE

### Department of the Army

#### STATEMENT OF ORGANIZATION AND FUNCTIONS

##### AGENCIES DEALING WITH PUBLIC; OFFICE OF QUARTERMASTER GENERAL

The statement of organization and functions published in 15 F. R. 551, February 1, 1950, and amended in 15 F. R. 6917, October 14, 1950, is further amended by changing subparagraphs (1) through (8) of paragraph (i), section 2, to read as follows:

#### SEC. 2. Organization and functions of agencies dealing with the public. \* \* \*

(i) *Office of the Quartermaster General*—(1) *Mission*. Under the direction and control of Assistant Chief of Staff, G-4, The Quartermaster General provides and services food, clothing, equipment, and supplies for the Army, as assigned to the Quartermaster General and, as assigned, for the Navy and the Air Force; and provides for the disposition of the remains of deceased military personnel and for over-all supervision of the operation of National Cemeteries.

(2) *Origin*. (i) The Quartermaster Corps, originally the "Quartermaster Department," was established June 16, 1775 by the Continental Congress which, in addition to authorizing a Quartermaster General, provided for appointment of a Commissary-General of Stores and Provisions. In 1777 there were authorized a Commissary General with four deputies, a Commissary General of issues with three deputies, and a Commissary General of clothing.

(ii) After the Revolutionary War the Congress in 1785 curtailed Quartermaster Department activities and authorized procurement through civilians known as "contractors of provisions." In 1812 Congress reconstituted the Quartermaster Department. During the Civil War responsibility for supplying animal transport and providing forage, and the operation of ocean, rail, and water transportation became an additional function of the Quartermaster Department. In 1912 Congress consolidated the Quartermaster, Subsistence and Pay Departments, and established what was then the Quartermaster Corps.

(3) *World War I*. World War I brought the first steps toward mechanization of the Army. The Quartermaster Corps created bakery, butcher,

ice plant, labor, and motor truck companies, clothing units, mechanical repair shops, salvage units, and graves registration units, and trained the personnel for field activities. The size of the Army and the distance of combat activities from the zone of interior increased Quartermaster Corps procurement and storage activities to proportions in excess of all combined prior operations.

(4) *World War II*. In World War II motor transport, construction, and utilities as well as the function of transportation were given to other Army agencies. The Quartermaster Corps devoted its major interest to providing the soldier with items of food, clothing, and equipment necessary to the personal maintenance of the soldier and which would contribute to the soldier's personal comfort and well-being. The remoteness of the battlefronts, the unprecedented size of the Army, and the requirement for approximately 70,000 different items of quartermaster origin brought the Quartermaster Corps to peak (1945) expansion: 54 general officers, 30,744 other officers, and 467,266 enlisted.

(5) *Legal basis*. The authority for assignment of general powers and duties to the Quartermaster General by this paragraph is sections 206 and 405, Public Law 581—81st Congress (Army Organization Act of 1950).

(6) *Dual role of the Quartermaster General*—(i) *Staff advice*. The Quartermaster General provides administrative and technical advice and recommendations relating to quartermaster matters to the Secretary of the Army, the Under Secretary of the Army, the Chief of Staff, and the General and Special Staffs.

(ii) *Command*. For the execution of the Quartermaster Corps mission, the Quartermaster General commands all troops, activities, and installations assigned to his control.

(7) *Major functions*—(i) *Supply*. Procures, stores, disposes, maintains, and supplies those items of equipment and supplies assigned to the Quartermaster Corps.

(ii) *Installations and separate activities*. Commands Quartermaster Corps class II installations (including general depots) and separate activities.

(iii) *Industrial mobilization*. Collaborates with other military departments and Army agencies in the formulation and execution of broad plans, policies, and program for industrial mobilization with reference to quartermaster matériel, supplies, resources, and facilities to support Army plans for industrial mobilization.

(iv) *Standardization matériel*. Administers matters of standardization of quartermaster matériel and equipment preliminary to Departmental approval, and conducts and monitors certain standardization studies for the Department of Defense.

(v) *Procedures and standards*. Formulates and establishes, in coordination with other Army agencies, quartermaster procedures and standards.

(vi) *Mobilization and training*. Effects mobilization designations of

Organized Reserve Corps personnel; implements the quartermaster Organized Reserve Corps affiliation program; trains quartermaster units assigned to quartermaster control; and establishes and operates schools and facilities for the technical training of quartermaster personnel.

(vii) *Food service*. Administers the food service program.

(viii) *Deceased personnel*. Maintains staff supervision over the current death program for deceased personnel of the Army and Air Force and is responsible for the recovery, identification, and disposition of the remains of all World War II deceased who are eligible under Public Law 383—79th Congress, as amended.

(ix) *Research and development*. Plans, coordinates, and conducts research and development on new and/or improved equipment, supplies, and materials in fields for which the Quartermaster General has assigned responsibilities.

(x) *Intelligence*. In accordance with Department of the Army policies, produces and maintains intelligence concerning foreign quartermaster research and development, organizations, material, and operations; prepares and maintains Quartermaster Corps sections of Strategic Vulnerability Surveys, exercises technical supervision over the collection and exploitation of quartermaster intelligence information in theaters of operation.

(8) *Organization*—(i) *Office of Management*. (a) Provides a management consulting service for the Office of the Quartermaster General and for quartermaster field installations.

(b) Develops programs for improvement of organization, office procedures, and recurring reports.

(c) Exercises technical supervision over activities of management offices at field installations and appraises their efficiency of operation.

(d) Interprets and disseminates production and cost data to assist in the improvement of the efficiency of the Quartermaster Corps.

(ii) *Office of Technical Information*—(a) Prepares official releases relating to Quartermaster Corps activities for submission to the Army Public Information Division, receives and answers queries, and arranges interviews and advises quartermaster personnel as to Army public information policies.

(b) Arranges displays of quartermaster items for photographic illustration.

(c) Advises The Quartermaster General regarding public reactions in the press, periodicals, and radio in relation to Quartermaster Corps operations.

(d) Coordinates the activities of public information personnel at quartermaster field establishments.

(e) Advises the Army Public Information Division on quartermaster activities likely to be of public concern, obtains review from the Division, of articles and speeches prepared by personnel of the Office of the Quartermaster General; and advises the Quartermaster General on Army policies for dealing with information media.

(iii) *Office of the General Counsel*. (a) Acts for the Quartermaster General in the direction and coordination



of legal activities throughout the Quartermaster Corps and establishes and publishes policies, practices, and procedures.

(b) Exercises technical supervision over activities of legal staffs at field installations.

(c) Renders advice and assistance on legal matters to elements of the Quartermaster Corps and determines what legal matters shall be submitted to the Judge Advocate General.

(iv) *Administrative Division.* (a) Distributes mail and messages, maintains correspondence files (except top secret, registered and specially classified documents); reviews and edits proposed Quartermaster Corps and Army publications initiated in the Office of the Quartermaster General; distributes copies of regulations, circulars, other Army issuances and Quartermaster Corps publications within the Office of the Quartermaster General and copies of Quartermaster Corps publications to field agencies under the jurisdiction of the Quartermaster General; requisitions and issues office supplies and equipment and provides other administrative services for the Office of the Quartermaster General.

(b) Serves as focal point for the clearance of identical instructions and information addressed to two or more field installations, headquarters, or other agencies.

(c) Reviews for justification, edits, and approves Office of the Quartermaster General requests for all types of material which are printed or otherwise reproduced; initiates, reviews, and revises printed and duplicated forms used in the Office of the Quartermaster General and supplied by the Quartermaster Corps, and authorizes their reproduction.

(d) Supervises the procurement of quartermaster printed matter and the operation of field printing plants under the jurisdiction of the Quartermaster General.

(e) Compiles historical data concerning Quartermaster Corps activities.

(f) Exercises staff supervision over all division administrative offices, Office of the Quartermaster General, and is responsible for over-all coordination of administration, except personnel matters.

(g) Conducts records administration for the Quartermaster General.

(h) Prepares Manual of Office Procedures for the Office of the Quartermaster General.

(i) Controls and coordinates TWX conferences for the Office of the Quartermaster General.

(v) *Personnel and Training Division.* (a) Performs staff functions in connection with the securing of personnel authorization and subauthorizes personnel to activities and installations under the jurisdiction of the Quartermaster General.

(b) Requisitions, recommends assignments, transfers, and recommends promotion and separation of military personnel at quartermaster activities and installations.

(c) Recommends to the General Staff, quartermaster military personnel for

special training at service schools and civilian educational institutions, and selects quartermaster officer and enlisted instructors for Reserve Officers' Training Corps, Organized Reserve Corps, and National Guard duty, subject to General Staff approval.

(d) Aids in the information of Army policies on the Quartermaster Reserve Officers' Training Corps, Organized Reserve Corps, and National Guard, and in the promotion of civilian component activities.

(e) Reviews applications and records of quartermaster applicants for commissions in the Regular Army and selects applicants for recommendation for appointment.

(f) Initiates the inspection of Quartermaster Corps units at activities and installations under the jurisdiction of the Quartermaster General to correct organizational records and personnel deficiencies.

(g) Provides civilian personnel services for employees of the Office of the Quartermaster General, and staff assistance to field installations on their civilian personnel programs.

(h) Evaluates the effectiveness of civilian programs and personnel utilization in quartermaster class II installations and activities and recommends corrective action.

(i) Performs staff functions in connection with military training activities at installations under the jurisdiction of the Quartermaster General; food service training for Army and Air Force personnel; the computation of military training requirements at Quartermaster Corps training installations; and the operation of quartermaster schools, training centers; and other training activities under the jurisdiction of the Quartermaster General.

(j) Formulates training doctrine and prepares curricula, training courses, technical instruction, manuals, and other publications and training media for the training of military personnel at quartermaster schools and training installations, and for the training of Army personnel in food service and other Quartermaster Corps subjects.

(k) Approves training programs of quartermaster personnel and units of the Organized Reserve Corps.

(l) Recommends the assignment and relief of staff and faculty personnel for quartermaster schools and training centers.

(m) Inspects, when requested, the training of quartermaster personnel and units of the Organized Reserve Corps and the operating efficiency of training installations and units in training under the jurisdiction of the Quartermaster General.

(n) Assists continental army and oversea commanders, when requested, in reviewing the adequacy and effectiveness of training of quartermaster units at installations under the jurisdiction of army and oversea commanders.

(vi) *Budget and Fiscal Division.* (a) Performs staff functions in connection with the compilation of estimates for appropriations to finance activities under the control of the Quartermaster Gen-

eral and the central procurement of quartermaster items.

(b) Reviews and prepares recommendations on quartermaster estimates of army areas, Military District of Washington, and oversea commands, and other estimates of Quartermaster Corps responsibility.

(c) Incorporates quartermaster estimates (and estimates of certain other agencies without authority for specific appropriations), together with justifications, in a total estimate for the appropriation "Quartermaster Service Army," arranges preparation, and justifies the estimate.

(d) Supervises the distribution and administration of funds appropriated and made available to the Quartermaster Corps.

(e) Prepares and issues implementing instructions within the Quartermaster Corps on fiscal accounting and property accounting policies and procedures.

(f) Supervises accounting procedures for appropriated funds and the processing of commercial accounts for payment in quartermaster field installations.

(g) Supervises policies relating to the sale and pricing of Quartermaster Corps property.

(h) Maintains fiscal accounts for all funds administered by the Quartermaster General.

(i) Processes reimbursement transactions for the Quartermaster Corps.

(j) Analyzes and processes requests for advance payments to contractors and collects amounts due from contractors under renegotiation and royalty adjustment agreements.

(k) Develops, prepares, and issues policies and procedures, and supervises cost-accounting operations in Quartermaster Corps installations.

(l) Monitors reports of Army Audit Agency and initiates appropriate action to clear property and reimbursement billing accounts over which the Quartermaster General has command responsibility.

(m) Responsible for directing development, execution, review, and analysis of the Quartermaster Corps segments of the primary programs of the Department of the Army.

(vii) *Military Planning Division.* (a) Prepares, coordinates, and issues plans, policies, and procedures for carrying into effect the quartermaster industrial mobilization planning program, including the planning initiation, and supervision of all mobilization, production planning activities necessary to insure the adequate supply of essential quartermaster items.

(b) Develops, prepares, and coordinates Quartermaster Corps plans and policies pertaining to current and projected operations, task forces, special missions, mobilization, troop support, and related long-range projections, and general planning.

(c) Collaborates with planning echelons of the Department of Defense; determines Quartermaster Corps planning responsibilities; assigns implementation planning projects and elements in the Office of the Quartermaster General; and reviews and coordinates plans and annexes to kindred documents of higher headquarters.



(d) Produces and maintains certain basic and technical intelligence for the Department of the Army, and operational intelligence for the Quartermaster Corps; directs security activities including top secret control in the Office of the Quartermaster General and exercises staff supervision over technical intelligence and security activities (except plant protection) in quartermaster class II installations and activities.

(e) Edits and reviews the quartermaster sections of all tables of organization and equipment and tables of allowances to assure the proper technical use of quartermaster equipment.

(f) Prepares and revises tables of organization and equipment and tables of allowances for organizations and installations under the jurisdiction of the Quartermaster General.

(g) Prepares and maintains tables of allowances for the issue of clothing and individual equipment and quartermaster expendable supplies for military personnel and organizations, and prepares, coordinates, and maintains tables of allowances for all nonexpendable items at installations.

(h) Plans and conducts research and development on new and/or improved quartermaster equipment, supplies, and materials and coordinates the research and development activities of other agencies in fields as assigned to the Quartermaster General.

(i) Conducts laboratory and field tests in order to determine performance characteristics of quartermaster type items.

(j) Operates research and development laboratories in the quartermaster fields of interest.

(k) Designs, improves, develops, and prepares specifications for the packing and packaging of quartermaster supplies and equipment.

(l) Prepares and approves specifications for quartermaster items and parts of items.

(m) Administers matters of standardization of quartermaster material and equipment preliminary to departmental approval, and conducts and monitors standardization studies for the Department of Defense.

(n) Maintains staff of observers in United States and in overseas commands to investigate and report on performance of quartermaster items of clothing, equipment, subsistence, and fuels and lubricants.

(o) Supervises conservation policies and practices of the Quartermaster Corps.

(p) Conducts research on, designs and develops medals, decorations, badges, flags, insignia, and other symbolism for all elements of the armed services; designs and approves coats-of-arms and distinctive insignia, issues certificates authorizing the manufacture of insignia.

(viii) *Field Service Division.* (a) Supervises the administration and operation of depots for which the Quartermaster General is charged with administrative control.

(b) Exercises staff supervision of the storage and handling of quartermaster supplies in quartermaster and general depots and develops and installs policies and operating procedures relating to such storage and handling operations.

(c) Formulates policies, procedures, and control for the maintenance and classification of quartermaster supplies and equipment and exercises staff supervision of such functions at installations under the jurisdiction of the Quartermaster General.

(d) Directs the procurement, shipment, assignment, and processing of animals and forage required by the Department of Defense and foreign aid programs.

(e) Exercises staff supervision over all laundry and dry cleaning facilities of the Army and exercises technical control of operations of laundry and dry cleaning facilities at Army installations.

(f) Plans and supervises the operation of the Army Effects Bureau and develops and installs policies and procedures for the handling and disposition of personal effects and funds by that agency.

(g) Prescribes basic safe practices and safe physical standards for technical operations such as warehousing, storage, and care and preservation at all Army installations and activities; supervises the application of such safety measures at quartermaster class II installations and activities.

(h) Determines, in relation to assigned and planned missions, necessity for new construction, alterations to buildings and facilities, and the lease and purchase of real estate, buildings, and installed facilities, at class II installations under the control of the Quartermaster General and submits requirements to the Corps of Engineers for approval and processing.

(ix) *Memorial Division.* (a) Provides for the recovery, identification, and final disposition of remains of World War II deceased persons as provided by Public Law 383—79th Congress, as amended.

(b) Maintains staff supervision over the current death program for military and civilian personnel of the Army and the Air Force.

(c) Establishes requirements for and exercises staff supervision over United States military cemeteries overseas prior to their transfer to the American Battle Monuments Commission.

(d) Exercises general supervision over and/or establishes requirements for national, post, and prisoner of war cemeteries, soldiers' lots, Confederate burial plots, monuments and parks under the jurisdiction of the Army, and maintains historical records thereon.

(e) Maintains records of gravesite reservations and interments in national and other cemeteries under the jurisdiction of the Army.

(f) Procures and supplies Government headstones and markers, except those for erection in cemeteries under the jurisdiction of the American Battle Monuments Commission.

(g) Prescribes policies and operational procedures for the American Graves Registration Service and supervises the operation of the independent zones thereof, including distribution centers in the United States.

(x) *Supply Division.* (a) Performs staff functions in connection with the establishment of purchase policies for the Quartermaster Corps.

(b) Controls the purchase of finished items and component materials of clothing, equipment, general supplies, subsistence, petroleum, fuels, and equipment assigned to the Quartermaster Corps.

(c) Supervises the inspection of supplies delivered to insure that they conform to the standards, quality, and specifications prescribed (except headstones and markers).

(d) Gathers financial information on contractors, supervises the expediting of deliveries on contracts, and prescribes procedures to implement established policies for contract termination.

(e) Establishes pricing policy to be applied in placing contracts and maintains technical control over this activity in field purchasing elements.

(f) Performs staff functions in connection with the distribution and issue of clothing, equipment, subsistence, and quartermaster general supply items; supervises the translation of authorized stock levels in terms of days of supply to quantities of these supplies to be maintained at depots; supervises, through depots, the review and approval of station control levels; participates in the determination of supply needs for these items; supervises the distribution of new production and redistribution of stock of these items between depots and stations; determines quantities of these items in excess of the needs of the Quartermaster Corps, including appropriate disposition action at both depots and stations; and determines items and quantities to be included in reserves.

(g) Develops supply policies and procedures for operations at quartermaster depots and quartermaster supply sections of general depots.

(h) Appraises the performance of stock control activities within the Office of the Quartermaster General and depots, including establishment of stock levels, maintenance of stock at prescribed levels, and distribution and stock control practices, prescribing corrective action.

(i) Develops formulas by which stock levels for quartermaster items at depots and stations will be calculated and initiates corrective action when levels appear to be inadequate or excessive.

(j) Supervises depot liaison with stations, including the determination of related responsibilities.

(k) Assures that the technical interest and responsibility of the Quartermaster General is carried out in all echelons of supply.

(l) Circularizes other agencies on excess quartermaster property, processes surplus declarations of quartermaster property, in order to report surplus quartermaster property to disposal agencies.

(m) Prescribes the technical operations of supply of items authorized for resale in sales commissaries and clothing sales stores.

(n) Formulates policies for and supervises the operations of the market center system.

(o) Maintains liaison with the Army and other Government agencies on subsistence matters and represents the Army on inter-agency committees concerned with food matters pertaining to military supply and, in coordination with the Office of the Food Administrator, on mat-



ters pertaining to civilian food requirements of the occupied areas.

(p) Directs the purchase, inspection, storage, maintenance, and distribution of all petroleum products, containers, and petroleum handling equipment for which the Quartermaster Corps has been assigned primary responsibility, including quality control for petroleum products.

(q) Furnishes technical assistance to the Munitions Board cataloging program.

(r) Formulates programs on matters affecting supply, procurement, conservation, and usage of fuels and lubricants.

(s) Initiates the purchase, inspection, storage, issue, and distribution of equipment especially designed for handling petroleum products and prepares specifications for equipment.

(t) Formulates plans and policies for the employment and operation of overseas can and drum plants by the Army.

(u) Devises methods and procedures for determination, review, and revision, in accordance with current strategic plans and supply policy, of requirements for all quartermaster items.

(v) Determines, in accordance with Army policies, quartermaster items and quantities to be included in authorized reserves.

(w) Exercises staff supervision over manufacturing facilities under the control of the Quartermaster General.

(x) Administers all foreign aid supply programs assigned to the Quartermaster General.

(zi) *Food Service Division.* (a) Performs staff functions in connection with administration of the food service program.

(b) Maintains technical control of the utilization of refrigerated space for the storage of subsistence.

(c) Prepares master menus and special menus and formulates policies for mess supervision, mess management, and operation of centralized food service activities.

(d) Collaborates with the Personnel and Training Division in the preparation of training manuals and course of instruction that pertain to the food service program.

(e) Furnishes food consultant services on food administration in occupied areas and on matters of food composition in Army operations with foreign governments and domestic governmental agencies.

(f) Furnishes technical assistance in the preparation and installation of layout plans for messing equipment and reviews new projects.

(g) Collaborates with other governmental agencies on the nutritional adequacy of menus.

(h) In collaboration with the Supply Division, prepares, reviews, and analyzes ration scales for the Army and foreign nationals, and recommends necessary adjustments in ration scales.

[SEAL] EDWARD F. WITSELL,  
Major General, U. S. Army,  
The Adjutant General.

[F. R. Doc. 51-4489; Filed, Apr. 16, 1951;  
8:49 a. m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[1925292]

IDAHO

#### NOTICE OF FILING OF PLAT OF SURVEY AND DEPENDENT RESURVEY

APRIL 11, 1951.

Notice is given that the plat accepted August 25, 1949, of (1) resurvey comprising sections 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31 and 32, delineating a retracement and reestablishment of the lines of the original survey as shown upon the plat approved October 28, 1872, and (2) extension survey of lands hereinafter described will be officially filed in the Land and Survey Office, Boise, Idaho, effective at 10:00 a. m., on the 35th day after the date of this notice.

The lands affected by this notice are described as follows:

BOISE MERIDIAN

T. 15 S., R. 28 E.,

All of secs. 1, 2, 3, 4;

All of secs. 9 to 16 inclusive;

All of secs. 21 to 28 inclusive;

All of secs. 33, 34, 35, 36.

The areas described, exclusive of segregations, aggregate 14,578.36 acres.

Available information indicates the described land is rough and mountainous.

No applications for the lands described may be allowed under the homestead, desert-land, small tract, or any other non-mineral public land laws unless the land has already been classified as valuable or suitable for such application or shall be so classified upon consideration of an application.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m., on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m., on the said 35th

day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m., on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m., on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Boise, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Boise, Idaho.

WILLIAM ZIMMERMAN, Jr.,  
Assistant Director.

[F. R. Doc. 51-4471; Filed, Apr. 16, 1951;  
8:45 a. m.]

### Bureau of Reclamation

[No. 4]

MISSOURI BASIN PROJECT, MEEKER CANAL,  
FRENCHMAN-CAMBRIDGE UNIT

PUBLIC NOTICE OF ANNUAL WATER RENTAL  
CHARGES

MARCH 9, 1951.

1. *Water rental.* Irrigation water will be furnished, when available, on a rental basis on approved applications for temporary water service during the irrigation season 1951 (May 1 to October 15



inclusive) to the irrigable lands under the Meeker Canal described below:

## SIXTH PRINCIPAL MERIDIAN

- T. 2 N., R. 29 W.  
 Sec. 3, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 4, NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 5, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ ,  
 SW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 6, SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ ;  
 Sec. 7, NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 8, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 18, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
 T. 3 N., R. 29 W.,  
 Sec. 32, SW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
 T. 2 N., R. 30 W.,  
 Sec. 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 2, NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 11, SE $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 12, NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$   
 SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 13, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$   
 NW $\frac{1}{4}$ .  
 T. 3 N., R. 30 W.,  
 Sec. 28, SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 Sec. 29, Lot 8 (N $\frac{1}{2}$ SE $\frac{1}{4}$ ), NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 30, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 33, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 34, N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 35, SE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
 T. 3 N., R. 31 W.,  
 Sec. 23, SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 24, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

2. For each farm unit for which water is requested, a water rental charge of \$3.50 per irrigable acre for each irrigable acre in the farm unit will be paid in advance of the delivery of water. Payment of this charge shall entitle the applicant to a pro rata share of all water available from the natural flow of the river, but not in excess of the amount nor the rate of diversion permitted under the laws of the State of Nebraska.

3. Water will be delivered and measured by Government forces at the nearest available measuring device to the individual farm.

4. The United States does not guarantee to deliver any fixed amount of water and will not be liable for any shortages of water or any failure to deliver due to any causes whatsoever.

5. Applications for water may be made by the landowner or by anyone who presents evidence satisfactory to the District Manager that he is the tenant or lessee of the land for which water is requested, or that he has been authorized by the owner to make a water rental application for such land.

6. Applications for water service and the payments required by this notice will be received at the office of the District Manager, Bureau of Reclamation, Indianola, Nebraska.

(Act of June 17, 1902, 32 Stat. 388, as amended or supplemented)

AVERY A. BATSON,  
Regional Director.

[F. R. Doc. 51-4476; Filed, Apr. 16, 1951;  
8:47 a. m.]

[No. 46]

PAYETTE DIVISION, BOISE PROJECT, IDAHO  
 PUBLIC NOTICE OF TERMS GOVERNING DELIVERY OF WATER FOR 1951 IRRIGATION SEASON

MARCH 5, 1951.

1. On February 27 and March 9, 1948, Public Notices Nos. 38 and 39 were issued, one announcing the availability of water under the contract of October 3, 1927, between the United States and the Black Canyon Irrigation District, as amended by the contract of July 15, 1936, to the lands comprising the gravity areas of the Payette Division; the other announcing the rental charge, in addition to the construction charge against the land covered by Public Notice No. 38, for all lands to which water would be delivered for 1948. On September 14, 1949, Public Notice No. 41 was issued opening land to entry and announcing that water will be furnished therefor for the irrigation season of 1950. On March 25, 1949, Public Notice No. 42 was issued announcing terms governing delivery of water for the 1949 irrigation season, and on February 24, 1950, Public Notice No. 44 was issued announcing terms governing delivery of water for the 1950 irrigation season. These notices were issued having regard for the provisions of the Federal Reclamation Laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto) prohibiting the delivery of water upon the completion of any new project or new division of a project until a contract approved by the Secretary of the Interior had been made with an irrigation district providing for payment by the district of all the costs of constructing and operating and maintaining the irrigation works.

2. Public Notices Nos. 42 and 44 were issued for the purpose of providing a temporary arrangement for furnishing water to the lands of the District during the 1949 and 1950 irrigation seasons. It is unlikely that an amendatory repayment contract will be entered into between the District and the United States prior to the beginning of the irrigation season of 1951. Exercising my general supervisory authority over the works of the Payette Division, I have determined that, notwithstanding the inadequacy of the existing repayment contract and outside of the provisions of that contract, water will be furnished for the 1951 irrigation season only on a temporary rental basis as follows:

(a) For lands served by gravity canals in the Payette Division, the minimum rental charge for the 1951 irrigation season for water delivered to or for the farms by Government forces will be \$4.40 per irrigable acre, said payment to be made by each landowner for his total irrigable area. Included in said water rental charge for lands served by gravity canals is a construction charge component of \$1.70. If the total cost of operating and maintaining the works of the Payette Division, including the charge for power for irrigation pumping for the year 1951 is less than, or equals, the amount paid by the District on the basis of \$2.70 per irrigable acre, such

construction component of \$1.70 may be credited on the instalment that would have been due for 1951 under the contract of October 3, 1927, as amended, and Public Notice No. 38. The said minimum charge per irrigable acre shall be payable whether or not water is used and will entitle the water user to three acre-feet of water per irrigable acre for the 1951 irrigation season. Two dollars and seventy cents per irrigable acre will be payable by the District in advance of the delivery of water, and \$1.70 per irrigable acre will be payable, one-half on or before December 31, 1951, and one-half on or before July 1, 1952. Additional water will be furnished during the 1951 irrigation season at the rate of \$1.15 per acre-foot, and shall be payable by each landowner to the District on or before December 20, 1951. Payments by the District to the United States for such excess water shall be made on or before December 31, 1951. The minimum charge on account of lands which do not receive water for the irrigation season of 1951 shall be payable by the District to the United States on or before December 31, 1951, and the District shall make the necessary assessments therefor against the lands involved.

(b) For the rental of water during the irrigation season of 1951 for privately-owned new lands under the pump system of the Payette Division, there will be a minimum charge of \$2.70 per irrigable acre of land irrigated but not less than 50 percent of the irrigable area of each privately-owned tract whether water is used or not, except that on individual ownerships of from 10 to 20 irrigable acres, payment shall be made for at least 10 acres, and on individual ownerships of 10 or less irrigable acres, payment shall be made in full for said acreage. All such payments shall be payable by the District in advance of the delivery of water, except that for individual ownerships having more than 20 irrigable acres, payments in advance of delivery of water shall be made on a minimum of 10 acres. For the advance payment of water rental outlined above, the maximum of three acre-feet of water per irrigable acre will be furnished. One dollar and fifteen cents per acre-foot will be charged for any water furnished to any tract in excess of three acre-feet per acre. The amount charged for such excess water, together with the balance due on ownerships of more than 20 irrigable acres, will be payable by each individual landowner to the District on or before December 20, 1951, and such charges shall be paid by the District to the United States on or before December 31, 1951.

(c) For the rental of water during the irrigation season of 1951 for new lands comprising homestead farm units under the pump system of the Payette Division, there will be a minimum charge of \$2.70 per acre of land irrigated, payable by the District in advance of the delivery of water, upon a minimum of 10 acres. Payment up to the total irrigable acreage in each farm unit shall be made in advance of the delivery of water in multiples of 10 acres. For the ad-



vance payment of water rental outlined above, the maximum of three acre-feet of water per irrigable acre will be furnished. One dollar and fifteen cents per acre-foot will be charged for any water furnished to any farm unit in excess of three acre-feet per acre. The amount charged for such excess water will be payable by each individual owner of a farm unit to the District on or before December 20, 1951, and charges for such excess water shall be paid by the District to the United States on or before December 31, 1951.

3. For the irrigation season of 1952, it is contemplated that lands served by water under the pump system of the Payette Division shall pay the minimum charge per irrigable acre as announced for that year for the total irrigable area of each privately-owned tract whether water is used or not.

4. The foregoing arrangements are a temporary expedient for the 1951 irrigation season only. The Bureau of Reclamation is now discussing a long-range repayment plan with the District's board of directors. The present arrangements are made with the understanding that all reasonable effort will be made by the Bureau of Reclamation and the District's board of directors to agree on a long-range repayment plan and to present it to the District's electors at the earliest possible date.

5. Water for Payette Division lands will be delivered and measured by Government forces at the nearest available measuring device to the individual farm.

6. Any charge, or any part thereof, required to be paid to the United States under this notice, and which remains unpaid after it shall become due and payable, shall be subject to, and there shall be paid a penalty at the rate of one-half percent per month from the date of delinquency.

7. Individual landowners in the Payette Division will make their applications for water and the payments required by this public notice direct to the Black Canyon Irrigation District office, Notus, Idaho. Applications by the irrigation district for water and payments by the District to the United States on the basis of this public notice will be received at the office of the Bureau of Reclamation, 214 Broadway, Boise, Idaho.

WILLIAM E. WARNE,

Assistant Secretary of the Interior.

[F. R. Doc. 51-4475; Filed, Apr. 16, 1951; 8:46 a. m.]

## Office of the Secretary

[Order No. 2626]

### BUREAU OF MINES

#### REDELEGATION OF AUTHORITY WITH RESPECT TO RESEARCH PROJECTS

APRIL 10, 1951.

SECTION 1. *Authority redelegated.* (a) The authority delegated by the Administrator of General Services to the Secretary of the Interior on March 17, effective March 9, 1951, to make negoti-

ated purchases and contracts in carrying out special research projects and related undertakings with working funds transferred to the Bureau of Mines from the Departments of the Air Force, Army, and Navy, the Coast Guard, or the National Advisory Committee for Aeronautics, where the facts are such as to bring the purchase or contract within the provisions of subparagraphs (1), (2), (3), (4), (5), (9), (10), (11), (12), and (14) of section 302 (c) of the Federal Property and Administrative Services Act of 1949, as amended (41 U. S. C., 1946 ed., Supp. III, sec. 252 (a)), is redelegated to the following officials of the Bureau of Mines to be exercised in accordance with the provisions of paragraph (b) of this section:

Director  
Chief, Administrative Division  
Each Regional Director

(b) The officials designated in paragraph (a) are authorized:

(1) To make negotiated purchases and contracts for the purpose of carrying out special research projects and related undertakings of the Bureau of Mines pursuant to Title III of the aforesaid act (41 U. S. C., 1946 ed., Supp. III, secs. 252-260): *Provided*, That the facts are such as to bring the purchase or contract in question within the provisions of subparagraphs (1), (2), (3), (4), (5), (9), (10), (11), (12), and (14) of section 302 (c) of the act and that the determinations required under subparagraphs (2) and (3) of this paragraph have first been made.

(2) To determine that the facts are such as to bring the purchase or contract in question within the provisions of subparagraphs (1), (2), (3), (4), (5), (9), and (14) of section 302 (c) of the act.

(3) To determine with respect to contracts which will not require the expenditure of more than \$25,000 that the facts are such as to bring the purchase or contract in question within the provisions of subparagraph (10) of section 302 (c) of the act.

(4) The approval and legal review of contracts negotiated under this authority shall be in accordance with instructions of the Director, Bureau of Mines.

SEC. 2. *Determinations by Secretary.* Determinations as to whether the facts are such as to bring the purchase or contract in question within the provisions of subparagraph (10), if the purchase or contract is over \$25,000, and of subparagraphs (11) and (12), of section 302 (c) of the act, will be made by the Secretary. Such purchases or contracts shall not be negotiated or approved until after the requisite determinations have been made by the Secretary.

(Sec. 307, 63 Stat. 396; 41 U. S. C., 1946 ed., Supp. III, sec. 257)

OSCAR L. CHAPMAN,  
Secretary of the Interior.

[F. R. Doc. 51-4470; Filed, Apr. 16, 1951; 8:45 a. m.]

## DEPARTMENT OF AGRICULTURE

### Commodity Credit Corporation

#### SALES OF CERTAIN COMMODITIES AT FIXED PRICES

##### APRIL DOMESTIC AND EXPORT PRICE LIST

Pursuant to the Pricing Policy of Commodity Credit Corporation issued March 22, 1950 (15 F. R. 1583), and subject to the conditions stated therein, the following commodities are available for sale in the quantities and at the prices stated:

##### APRIL DOMESTIC PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
Dried whole eggs 1950 pack (packed in barrels and drums) in carload lots only, 1,000,000 pounds. <sup>1</sup>	\$1.03 per pound "in store" at location of stock in Illinois, Indiana, Iowa, Michigan, Ohio, Oklahoma, Texas, Kansas, Missouri, Nebraska, Minnesota, Wisconsin, Pennsylvania, Massachusetts, New York, and Delaware ("in store" means in storage at warehouse, but with any prepaid storage and out-handling charges for the benefit of the buyer). Market price on date of sale.
Linseed oil, raw, 214,400,000 pounds.	On all beans, for areas other than those shown below, adjust prices upward or downward by an amount equal to the price support program differential between areas. When no price differential occurs, the price listed will apply. For other grades of all beans, adjust by market differentials. Prices listed below, on all beans, are at point of production. Amount of any paid-in freight to be added.
Dry edible beans.....	No. 1 Grade 1948 <sup>1</sup> and 1949 crops: \$8.10 per 100 pounds, basis f. o. b. Denver rate area and California area; \$7.70 per 100 pounds, basis f. o. b. Idaho area.
Pinto, bagged, 1,700,000 hundredweight.	No. 1 Grade 1948 <sup>1</sup> and 1949 crops: \$7.85 per 100 pounds, basis f. o. b. Michigan area.
Pea, bagged, 945,000 hundredweight.	No. 1 Grade 1948 and 1949 crops: \$9.30 per 100 pounds, basis f. o. b. New York area.
Red kidney, bagged, 455,000 hundredweight.	No. 1 Grade 1948 <sup>1</sup> and 1949 crops: \$7.15 per 100 pounds, basis f. o. b. Twin Falls, Idaho area; \$7.55 per 100 pounds, basis f. o. b. Morrill, Nebr. area.
Great Northern, bagged, 1,925,000 hundredweight.	No. 1 Grade 1948 <sup>1</sup> and 1949 crops: \$7.95 per 100 pounds, basis f. o. b. California area.
Baby lima, bagged, 700,000 hundredweight.	No. 1 Grade 1949 crops: \$8.60 per 100 pounds, basis f. o. b. California and Michigan areas.
Cranberry beans, bagged, 80,000 hundredweight.	\$5.26 per 100 pounds, f. o. b. point of production. Amount of any paid-in freight to be added.
Austrian winter pea seed, bagged, 2,200,000 hundredweight. <sup>1</sup>	\$5.26 per 100 pounds, f. o. b. point of production. Amount of any paid-in freight to be added.
Blue lupine seed, bagged, 989,000 hundredweight.	\$13.49 per 100 pounds, f. o. b. point of production. Amount of any paid-in freight to be added.
Kobe, lespedeza seed, bagged, 3,500 hundredweight.	\$54.33 per 100 pounds, f. o. b. point of production. Amount of any paid-in freight to be added.
Weeping lovegrass seed, bagged, 1,300 hundredweight.	\$8.00 per 100 pounds, f. o. b. point of production. Amount of any paid-in freight to be added.
Common ryegrass seed, bagged, 3,090 hundredweight.	\$7.20 per 100 pounds, f. o. b. point of production. Amount of any paid-in freight to be added.
Common and Willamette vetch seed, bagged, 298,000 hundredweight.	

<sup>1</sup>These same lots also are available at export sales prices announced concurrently.



## APRIL DOMESTIC PRICE LIST—Continued

Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
Wheat, bulk, 5,000,000 bushels...	This wheat is available only when premium wheat is required or where emergency situations exist. Basis in store, the market price but in no event less than the applicable 1950 loan rate for the class, grade, quality, and location, plus: (1) 32 cents per bushel if received by truck, or (2) 27 cents per bushel if received by rail or barge. Examples of minimum prices, per bushel: Kansas City, No. 1 HW, ex rail or barge, \$2.53; Minneapolis, No. 1 DNS, ex rail or barge, \$2.54; Chicago, No. 1 KW, ex rail or barge, \$2.58.  NOTE: No wheat will be for sale in the Portland, Oreg., area until further notice.
Oats, bulk, 10,100,000 bushels....	At points of production, basis in store, the market price but not less than the applicable 1950 county loan rate plus 16 cents per bushel; at other points, the foregoing plus average paid-in freight. Examples of minimum prices, per bushel: Chicago, No. 3 or better, 99 cents; Minneapolis, No. 3 or better, 95 cents.
Barley, bulk, 19,852,000 bushels...	Basis in store, the market price but in no event less than the applicable 1950 loan rate for the class, grade, quality, and location, plus: (1) 23 cents per bushel if received by truck, or (2) 19 cents per bushel if received by rail or barge. Examples of minimum prices per bushel: Minneapolis, No. 1 barley, ex rail or barge, \$1.51; San Francisco, No. 1 Western barley, ex rail or barge, \$1.58.
Corn, bulk, 50,000,000 bushels...	1950 commercial corn-producing area: At points of production, basis in store, the market price but not less than the applicable 1950 county loan rate for No. 3 yellow, plus 21 cents per bushel, with market differentials for other grades, quality, and classes. At other delivery points: (1) The foregoing, plus average paid-in freight, or (2) basis the following fixed minimum terminal prices, with market differentials for grade, quality, and class, and freight differentials for location. Fixed minimum prices, per bushel: Chicago, No. 3 yellow.....\$1.83 St. Louis, No. 3 yellow.....1.83 Minneapolis, No. 3 yellow.....1.76 Omaha, No. 3 yellow.....1.75 Kansas City, No. 3 yellow.....1.79 Market differentials for other grades, quality, and classes. 1950 non-commercial corn-producing areas: At points of production, or originating in a non-commercial county, basis in store, the market price but not less than 133 percent of the applicable 1950 county loan rate for No. 3, plus 21 cents per bushel; at other points, the foregoing plus average paid-in freight. If originating in a commercial county, the county loan rate for No. 3 plus 21 cents, plus average paid-in freight. Example of minimum price, per bushel: 1950 county loan rate for Brown County, Ind., \$1.10 per bushel, No. 3 corn, 133 percent of \$1.10, plus 21 cents equals \$1.68 per bushel, the minimum sales price.

## APRIL EXPORT PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Export sales price
Dried whole eggs; 1950 pack (packed in barrels and drums) in carload lots only, 10,000,000 pounds.	(1) 60 cents per pound f. a. s. vessel any U. S. Gulf or East Coast port; or (2) 60 cents per pound "in store" at location of stock, less freight based on the average gross shipping weight calculated at the lowest export freight rate. ("In store" means in storage at warehouse, but with any prepaid storage and out-handling charges for the benefit of the buyer.)
Dry edible beans.....	No. 1 Grade 1948 crop, f. a. s. vessel at locations shown below: \$5.90 per 100 pounds, San Francisco and Portland, Oreg.; \$6.00 per 100 pounds, U. S. Gulf ports. (See note below). \$6.50 per 100 pounds, East Coast ports.
Pinto, bagged, 930,000 hundredweight. <sup>1</sup>	
Pea, bagged, 245,000 hundredweight. <sup>1</sup>	
Great Northern, bagged, 715,000 hundredweight. <sup>1</sup>	\$8.50 per 100 pounds, Portland, Oreg. (26,000 hundredweight only stored at The Dallas, Oreg.); \$6.60 per 100 pounds, U. S. Gulf ports. (See note below).
Baby lima, bagged 230,000 hundredweight. <sup>1</sup>	\$5.00 per 100 pounds, San Francisco.
Austrian winter pea seed, bagged 2,200,000 hundredweight. <sup>1</sup>	
Fresh Irish potatoes, packed in usual 100-pound burlap sacks, in carload or truckload lots only. Substantial quantities as available in Aroostook County, Maine.	NOTE: "U. S. Gulf ports" means ports with freight rates not greater than to New Orleans. Any excess freight will be for account of the buyer.  Discounts for grades on all beans: No. 2, 25 cents less than No. 1; No. 3, 50 cents less than No. 1. Purchasers of beans for export to Canada must provide proof of re-export from Canada and the beans must not be re-exported to the U. S. At CCC's option, 1949 crop beans may be furnished in place of 1948 beans in instances where stocks of 1948 beans of the type and grade desired are exhausted. Market price on date of sale at place of delivery, provided delivery takes place within 15 days unless otherwise agreed upon. U. S. No. 1 Grade when loaded at CCC's point of purchase—60 cents per sack, f. o. b. cars at country shipping point, for export to areas other than U. S. possessions, Canada, Cuba, Mexico, or the Caribbean area. Consideration will be given to offers to purchase potatoes packed in crates at above price, plus additional costs to CCC. Consideration also will be given to purchases of certified seed potatoes packed in usual 100-pound burlap sacks or crates at the above price, plus additional costs to CCC. Communicate with the Director, PMA Commodity Office, 139 Centre Street, New York 13, N. Y. Telephone REctor 2-3100. Basis 1 cent per hundred weight bulk ungraded at farm, plus reimbursement for approved marketing services required to be performed.
Fresh Irish potatoes, for processing into potato food products for export. Quantities as available in the late potato-producing States.	

<sup>1</sup> These same lots also are available at domestic sales prices announced concurrently.

(Pub. Law 439, 81st Cong.)

Issued: April 12, 1951.

[SEAL]

HAROLD K. HILL,  
Acting President, Commodity Credit Corporation.

[F. R. Doc. 51-4500; Filed, Apr. 16, 1951; 8:51 a. m.]

DEFENSE TRANSPORT  
ADMINISTRATION

[DTA Delegation 4]

DIRECTOR, PORT UTILIZATION DIVISION

DELEGATION OF AUTHORITY WITH RESPECT  
TO ADMINISTRATION OF DEFENSE TRANSPORT ADMINISTRATION GENERAL ORDER  
DTA 2

Pursuant to the authority of the Defense Production Act of 1950 (64 Stat. 798), Executive Orders Nos. 10161 (15 F. R. 6105) and 10200 (16 F. R. 610), and Organization Order DTA 1, as amended (15 F. R. 6728, 16 F. R. 1677):

The Director of the Port Utilization Division, Defense Transport Administration, is hereby designated and authorized to administer in behalf of the Defense Transport Administration, and the Administrator thereof, the provisions of General Order DTA 2 (16 F. R. 2035), providing for preference and priority in port terminal storage and handling of bulk grain for export.

The Director may exercise the authority hereby conferred upon him through such officers and employees of the Defense Transport Administration and in such manner as he may determine.

The exercise of the authority conferred hereby shall be subject to the general control and supervision of the Administrator of the Defense Transport Administration.

DTA Delegation 3 (16 F. R. 2104) issued March 2, 1951, is hereby revoked.

Issued at Washington, D. C., this 16th day of April 1951.

JAMES K. KNUDSON,

Administrator,

Defense Transport Administration.

[F. R. Doc. 51-4573; Filed, Apr. 16, 1951;  
12:21 p. m.]FEDERAL COMMUNICATIONS  
COMMISSION

[Docket No. 9605]

GULF BEACHES BROADCASTING CO., INC.

ORDER SCHEDULING HEARING AND DELETING  
ISSUES

In re application of Gulf Beaches Broadcasting Company, Inc., St. Petersburg Beach, Florida, for construction permit; Docket No. 9605, File No. BP-7302.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 5th day of April 1951;

The Commission having under consideration a petition filed on August 30, 1950, by Gulf Beaches Broadcasting Company, Incorporated, requesting reconsideration and grant without hearing of its above-entitled application for a permit to construct a new standard broadcast station to operate on frequency 1300 kilocycles, with 1 kilowatt power, daytime only at St. Petersburg Beach, Florida;

It appearing, that the said application was designated for hearing by Commis-



## NOTICES

sion order of March 13, 1950, to determine among other things, the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders and to obtain full information as to all contracts, agreements, or understandings relating to the sale or transfer of stock and/or stock subscription rights in the applicant corporation and whether the proposed operation would involve objectionable interference with Stations CMAN, Pinar del Rio, Cuba; and WSMF, Dade City, Florida, or other existing stations and otherwise not comply with the Standards of Good Engineering Practice; and

It further appearing, that Seminole Broadcasting Company, licensee of Station WSMF, Dade City, Florida, was made a party to the proceeding; and

It further appearing, that, on the basis of the information contained in the said application and petition, there has been no misrepresentation on the part of the applicant corporation with reference to stock subscription rights, but rather a failure to state clearly the matters relating to the assignment of certain subscription rights; and

It further appearing, that at date of the grant of application File Number BP-7197 which authorized construction of Station WSMF, the interference involved with the above-entitled application was considered and found not to warrant denial of the WSMF application and, accordingly, the aforesaid grant authorizing construction of Station WSMF was made subject to the condition that the applicant accept any interference which might result in the event of a grant of the above-entitled application and such partial grant has been accepted; and

It further appearing, that applicant is legally, technically, financially and otherwise qualified to operate the proposed station; and

It further appearing, that, according to the latest official notifications by Cuba, Station CMAN, Pinar del Rio, Cuba, is assigned to operate on the frequency 1300 kc., with power of 1 kw., unlimited time; that under the provisions of the North American Regional Broadcasting Agreement (NARBA), Washington, 1950, which has been signed by the United States and is pending ratification, Station CMAN would continue to be assigned to that frequency;

It is ordered, That the aforesaid petition for reconsideration and grant without hearing is denied, and that the hearing is scheduled to take place at the offices of the Commission, Washington, D. C., commencing at 10 o'clock a. m. on June 8, 1951; and

It is further ordered, That, on the Commission's own motion, the order of March 13, 1950 designating the above-entitled application for hearing is amended to delete therefrom issues 1 and 2, to delete that part of issue 4 specifying Station WSMF, Dade City, Florida, and to remove Seminole Broad-

casting Company, licensee of Station WSMF, as a party to the proceeding.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 51-4490; Filed, Apr. 16, 1951;  
8:49 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. E-6349]

FLORIDA POWER CORP.

NOTICE OF APPLICATION

APRIL 11, 1951.

Take notice that on April 9, 1951, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Florida Power Corporation, a corporation organized under the laws of the State of Florida, and doing business in said State with its principal business office at St. Petersburg, Florida, seeking an order authorizing it to acquire from Florida Power & Light Company certain electric facilities owned and operated by the latter in Madison, Jefferson and Taylor Counties, Florida, consisting of three Diesel plants and distribution systems serving Madison, Monticello, and Perry, Florida, and environs, together with connecting transmission lines which tie the three service areas together. The application states that the consideration for the proposed facilities will be \$1,650,000 subject to certain adjustments; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 2d day of May 1951, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 51-4486; Filed, Apr. 16, 1951;  
8:48 a. m.]

[Docket No. G-1647]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION

APRIL 11, 1951.

Take notice that on April 2, 1951, El Paso Natural Gas Company (Applicant), a Delaware corporation of El Paso, Texas, filed an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act authorizing the construction and operation of approximately one mile of 4½-inch O. D. pipeline and a metering station near the Town of Chino Valley, Arizona, and the construction and operation of a metering station on El Paso's 24 inch San Juan transmission line near the Town of Ashfork, Arizona. Applicant proposes by these facilities to sell and deliver natural

gas to Southern Union Gas Company for resale and distribution in the Towns of Chino Valley and Ashfork, Arizona.

Through the proposed facilities, Applicant expects to deliver in the third year of operation about 34,000 Mcf of natural gas per year with a daily maximum of about 82 Mcf to Chino Valley, and 25,000 Mcf per year with a daily maximum of 256 Mcf to Ashfork, Arizona. The cost of the Chino Valley facilities is estimated to be \$16,800 and the Ashfork facilities \$6,800 which will be paid from current working funds of Applicant.

Applicant requests that its application be heard under the shortened procedure pursuant to § 1.32 (b) of the rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 2d day of May 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 51-4487; Filed, Apr. 16, 1951;  
8:49 a. m.]

HOUSING AND HOME FINANCE  
AGENCY

Federal Housing Administration

2¾ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES E

NOTICE OF CALL FOR PARTIAL REDEMPTION

Correction

In Federal Register Document 51-3673, appearing at page 2816 of the issue for Friday, March 30, 1951, the table should read as follows:

2¾ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES E

Denomination:	Series Nos. (all numbers inclusive)
\$50.....	43 to 70
\$100.....	142 to 224
\$500.....	61 to 97
\$1,000.....	211 to 302
\$5,000.....	15 to 49
\$10,000.....	2
	303 to 325

INTERSTATE COMMERCE  
COMMISSION

[4th Sec. Application 26004]

COKE FROM TEXAS TO RICHMOND, ILL., AND CARROLLSVILLE, WIS.

APPLICATION FOR RELIEF

APRIL 12, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3952. Commodities involved: Coke, coke breeze, dust or screenings, carloads.

From: Daingerfield and Lone Star, Tex.



To: Richmond, Ill., and Carrollsville, Wis.

Grounds for relief: Competition with rail carriers, circuitous routes, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3952, Supp. 2.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 51-4483; Filed, Apr. 16, 1951;  
8:48 a. m.]

[4th Sec. Application 26005]

CATALOGUES AND WASHING MACHINES  
FROM CERTAIN POINTS IN ILLINOIS TO  
POINTS IN NORTH CAROLINA AND TEN-  
NESSEE

APPLICATION FOR RELIEF

APRIL 12, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. G. Raasch, Agent for carriers parties to his tariffs I. C. C. No. 620 and 699, pursuant to fourth-section order No. 9800.

Commodities involved: Catalogues and parts, washing machines and other articles, carloads.

From: Specified points in Illinois.

To: Points in North Carolina and Tennessee.

Grounds for relief: Circuitous routes. Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day pe-

riod, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 51-4482; Filed, Apr. 16, 1951;  
8:48 a. m.]

[4th Sec. Application 26006]

BRICK FROM NIAGARA FALLS AND SUSPEN-  
SION BRIDGE, N. Y., TO THE SOUTH

APPLICATION FOR RELIEF

APRIL 12, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for carriers parties to his tariff I. C. C. No. A-917.

Commodities involved: Brick and related articles, and refractory articles, carloads.

From: Niagara Falls and Suspension Bridge, N. Y.

To: Points in southern territory.

Grounds for relief: Circuitous routes, to maintain grouping, and to apply over short tariff routes rates constructed on the basis of the short lines distance formula.

Schedules filed containing proposed rates: C. W. Boin's tariff I. C. C. No. A-917, Supp. 4.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 51-4484; Filed Apr. 16, 1951;  
8:48 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2599]

NORTHERN NATURAL GAS CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of April 1951.

Notice is hereby given that an application-declaration and an amendment

thereto have been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Northern Natural Gas Company ("Northern"), a registered holding company. Applicant-declarant has designated sections 6 and 7 of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than April 25, 1951, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by such application-declaration, as amended, proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time thereafter such application-declaration, as filed or as further amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said amended application-declaration, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Northern has arranged a line of credit in the amount of \$30,000,000 with a group of 8 commercial banks, pursuant to which it will issue and sell to such banks, from time to time but not later than March 22, 1952, a maximum of \$30,000,000 principal amount of its promissory notes. Said notes will bear interest at the "prime rate" in effect at the time each note is issued and each note will mature on or before nine months from the date of its issue. Said notes may be prepaid at any time prior to maturity without penalty or premium.

Northern, pursuant to the exemption provided in section 6 (b) of the act, has heretofore issued and sold on March 22, 1951, \$5,100,000 principal amount of such notes and now proposes the issuance and sale of the balance of \$24,900,000 principal amount of such notes, as above stated. The proceeds of the sale of the notes are to be utilized to defray, in part, the cost of Northern's construction program for the year 1951, which is estimated at approximately \$60,000,000. Completion of the construction program is dependent on the availability of materials and certain other factors.

The long term financing of Northern's 1951 construction program will require the sale of securities to the public in the aggregate amount of approximately \$51,000,000 which Northern states will consist of debentures and common stock. The bank notes herein proposed will be repaid by Northern out of the proceeds of the sale of such securities.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 51-4539; Filed, Apr. 16, 1951;  
8:45 a. m.]



## DEPARTMENT OF JUSTICE

## Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 17598]

## BANQUE CANTONALE LUCERNOISE

In re: Accounts maintained in the name of Banque Cantonale Lucernoise, Lucerne, Switzerland, and owned by persons whose names are unknown. F-63-2261 (Lucerne).

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A attached hereto and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts, excepting from the foregoing, however, all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partner-

ships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having

been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on March 30, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

## EXHIBIT A

[Accounts maintained in the name of Banque Cantonale Lucernoise, Lucerne, Switzerland]

Column I Name and address of institution which maintains account	Column II Designation of account
1. Dominick & Dominick, 14 Wall St., New York 5, N. Y.	(a) Banque Cantonale Lucernoise, Lucerne, and (b) Banque Cantonale Lucernoise, Lucerne, General Ruling No. 6 Account; as described by Dominick & Dominick in its report on form OAP-700, bearing its serial No. 47.
2. The Chase National Bank of the City of New York, 18 Pine St., New York, N. Y.	Bank deposit: Banque Cantonale Lucernoise, Lucerne, Switzerland, old account; as described by The Chase National Bank of the City of New York in its report on form OAP-700, bearing its serial No. 27.

[F. R. Doc. 51-4493; Filed, Apr. 16, 1951; 8:49 a. m.]

[Return Order 934]

## HANSI SHARE

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Hansi Share, Hollywood, Calif.; Claim No. 35429; January 31, 1951 (16 F. R. 920); \$141.05

In the Treasury of the United States. Twenty-five (25) shares of Beaunit Mills, Inc., New York, \$1.25 Dividend Cumulative Convertible Preferred Stock, no par value (not convertible after August 1, 1952), Certificate No. 50, registered in the name of the Attorney General of the United States, presently in the custody of the Federal Reserve Bank of New York, New York, N. Y.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on April 11, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 51-4498; Filed, Apr. 16, 1951; 8:51 a. m.]